BEST COPY
AVAILABLE

UN

UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.96/SR.511
20 December 1996

ENGLISH
Original: FRENCH

EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

Forty-seventh session

SUMMARY RECORD OF THE 511th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 9 October 1996, at 10 a.m.

Chairman: Mr. MCHUMO (United Republic of Tanzania)

CONTENTS

ANNUAL THEME: THE PURSUIT AND IMPLEMENTATION OF SOLUTIONS (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Executive Committee will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.96-02987 (E)

The meeting was called to order at 10.25 a.m.

ANNUAL THEME: THE PURSUIT AND IMPLEMENTATION OF SOLUTIONS (agenda item 4) (continued) (A/AC.96/863, A/AC.96/867 and A/AC.96/872)

1. Mr. ZAHRAN (Observer for Egypt) said that, as the Office of the High Commissioner was under growing pressure because of the current international situation, international efforts should be mobilized and combined and coordination improved between the activities of the United Nations High Commissioner for Refugees (UNHCR), other United Nations bodies and international institutions working in the humanitarian sector and the field of human rights. Cooperation between regional and international organizations should also be ensured.

2. Stressing the importance of voluntary repatriation, he said that the countries of origin should facilitate the return of refugees by restoring confidence and improving the conditions of reception. In view of the growing complexity of the refugee problem worldwide, its root causes should be addressed through the peaceful settlement of disputes, in conformity with Chapter VIII of the Charter of the United Nations.

3. Some 6 million of the world's 13.2 million refugees were to be found in Africa. Although positive results had been achieved in some countries, such as Angola, Liberia, Mozambique and parts of the Horn of Africa, the Great Lakes region continued to be torn apart, and international and regional efforts to calm the crisis and alleviate the suffering of the local population must be stepped up. The international community had responded well to the appeals of the High Commissioner and the Department of Humanitarian Affairs (DHA) in that respect.

4. Human rights observers had an important role to play in the monitoring of respect for human rights, the investigation of crimes against humanity and the prompt prosecution of persons accused of such crimes. Their activities enabled refugees and displaced persons to be repatriated as quickly as possible, and under conditions of security. In so far as its resources permitted, Egypt had taken part in those efforts by sending such items as medicine, medical equipment and vaccines.

5. In the former Yugoslavia, UNHCR had to help more than 4 million refugees and displaced or beleaguered persons. On behalf of the Egyptian Government, he praised the Office for its work, as lead agency, in coordinating the activities of the humanitarian institutions and organizations involved. The situation of Bosnian civilians and refugees had improved remarkably thanks to political initiatives at the international level, particularly the conclusion of the Dayton peace accords and the recent elections in Bosnia and Herzegovina. All the parties concerned would be sure to respect those accords and the election results, thereby facilitating the peaceful return, and compensation, of the refugees and displaced persons. UNHCR's role during and after the implementation of the peace accords was certainly no less important than the humanitarian activities it had carried out during the period of armed conflict in Bosnia and Herzegovina. In that connection, the persons accused of crimes against humanity should be brought to trial as soon as possible so

as to encourage peaceful coexistence and reconciliation and reconstruction. The Egyptian people had demonstrated their solidarity with the victims of the war in Bosnia by contributing to the collection organized by the Egyptian Red Crescent Society in cooperation with the Egyptian authorities.

6. Flexibility should be shown in dealing with groups which did not come under the definition of refugees contained in the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. The Convention of the Organization of African States (OAU) governing the Specific Aspects of Refugee Problems in Africa, which took regional realities and imperatives into account, had proven effective vis-à-vis the particular problems of Africa in the field. Another relevant instrument was the Cairo Declaration on the protection of refugees and displaced persons in the Arab world, which had been drawn up in November 1992 by a group of Arab experts in cooperation with the International Institute of Humanitarian Law. More recently, following its September 1995 conference, the Institute had published the San Remo Declaration, entitled "United for the Respect of Humanitarian Law", which contained important recommendations dealing in particular with issues under UNHCR's mandate. The Institute's twenty-first Round Table, held in September 1996, had focused on the consequences of armed conflicts as a humanitarian challenge, taking into consideration the distress of the refugees and the role played by UNHCR. That was an example of effective cooperation between UNHCR and a non-governmental organization (NGO), and he hoped it would not be the only one.

7. Mr. MOMANYI (Observer for Kenya) said that the theme of the pursuit and implementation of solutions was a timely one, for the global refugee crisis had assumed alarming proportions.

8. With nearly 8 million refugees and several million returnees and displaced persons, Africa accounted for more than half the world's total flows of such persons. The root causes of the phenomenon should be examined critically. Experience had shown that population displacements and refugee flows were essentially caused by man, through political, religious, ethnic or economic conflicts, to which should be added famine, insecurity, human rights violations, violence and environmental degradation. In East Africa, including Kenya, refugee problems were dealt with from a regional perspective, but conflict prevention was essential to durable solutions.

9. Refugees were all the more likely to choose voluntary repatriation if they were assured of help in restoring their country's war-torn economy. The earmarking of economic resources to, and the development of marginal zones were also essential ingredients for prevention, but such measures required that States demonstrate political will and respect for fundamental human rights.

10. Local integration was another solution to the refugee problem, and Kenya would continue to fulfil its international obligations in that regard; however, it did not have the capacity to absorb all those claiming refugee status. As to resettlement, his country welcomed the steps taken by the Australian, Canadian, United States, Italian and other Governments to admit refugees from Kenya. The United States Government had recently provided two

of the most vulnerable Somali refugee groups with opportunities for resettlement; he appealed for the resettlement of two other groups, which were equally vulnerable.

11. The host countries' socio-economic infrastructure and environment were suffering from the population displacements. Kenya, two thirds of whose territory had been classified as unproductive land, had had its environment destroyed in the refugee hosting areas. Thanks to the German Government, particularly the German Agency for Technical Cooperation (GTZ), trees had been planted in and around the refugee camps and the refugees had been encouraged to use low-energy means of cooking and to look after the plants and trees. GTZ had also endeavoured to establish close cooperation with local NGOs, regional authorities and the inhabitants of the zones concerned.

12. Kenya was sparing no effort to find lasting solutions to the refugee problem, encourage dialogue and facilitate the channelling of humanitarian aid to those most in need of it. Unfortunately, its infrastructure had been heavily loaded and the country's principal trunk road had been badly damaged by heavy lorry traffic. Kenya was also an advance post for humanitarian relief and aid operations in Rwanda, the Sudan and Somalia, and served as the place of refuge for humanitarian aid staff evacuated for security reasons.

13. Referring to the fact that UNHCR was taking care of a small number of refugees of Kenyan origin in Ethiopia, he pointed out that that was a cross-border issue and that members of the refugees' communities of origin were constantly crossing the Kenyan-Ethiopian border in both directions.

14. He expressed his gratitude to UNHCR, the World Food Programme (WFP), the Windle Charitable Trust, the Hugh Pilkington Charitable Trust of the United Kingdom, Care Kenya, the World Lutheran Federation, the International Committee of the Red Cross (ICRC), Doctors without Borders Belgium, and all the main actors for their continuing support to the 250,000 refugees his country had taken in.

15. Mr. OUEDRAOGO (Observer for Burkina Faso) said that the Executive Committee had before it a draft restructuring plan which would mark the work of its forty-seventh session. He was concerned at the division of the Regional Bureau for Africa into three different operating units; it risked affecting the circulation of information not only among those units but especially between them and the UNHCR programme recipient countries.

16. The political situation in Africa, a continent wracked by open or latent conflicts and by political, social and ethnic troubles, remained a matter of great concern. It inevitably led to a problem of ever-increasing numbers of refugees - a problem that continued to intensify and expand.

17. The UNHCR Executive Committee had chosen the pursuit and implementation of solutions as the working theme for its forty-seventh session. It was in that spirit that the Government of Burkina Faso was working within the framework of regional structures such as the Organization of African Unity and subregional structures such as the Economic Community of West African States (ECOWAS) or the Council of the Entente and at the bilateral level to put a stop to the refugee problem. It was in that same spirit that the Heads

of State of the ECOWAS Committee of Nine on Liberia, of which Burkina Faso was a member, had met in August 1996 to attempt to resolve the Liberian crisis. To that end the Community would need assistance from the international community, as the size of its Cease-fire Monitoring Group (ECOMOG) would have to increase from 8,000 to 18,000 men. Sufficient material and financial resources were also needed to ensure disarmament, demilitarization and the quartering of troops, all of which were prerequisites to the democratic peace process in Liberia.

18. Furthermore, Burkina Faso, under the aegis of its President, continued to take initiatives and to offer contributions, advice and mediation to countries where conflicts were in progress, such as Sierra Leone, Liberia and the countries of the Great Lakes region, or that had undergone periods of difficulty, such as Mali and Niger. With regard to the Malian and Nigerian refugees in Burkina Faso, his Government had signed two tripartite repatriation agreements in the hope that the voluntary repatriation of the tens of thousands of refugees it was harbouring would entail no major problems. He thanked the international community for its assistance to those refugees.

19. The refugee problem was fundamentally a question to be dealt with at the political, economic and social levels. UNHCR might wish to study it in all those aspects, with the participation of competent experts, including representatives of refugees. In the final analysis, there could be no durable solution to the refugee problem without stronger economic structures and improved living conditions in the countries and regions of origin. For the time being, Burkina Faso reaffirmed its willingness to remain a host country and to cooperate with the High Commissioner in the pursuit of durable solutions to the problems of refugees and displaced persons. He thanked the High Commissioner for having appointed and installed a representative in Burkina Faso.

20. Mr. ALIC (Observer for Bosnia and Herzegovina) said that his country, which did not wish to be a burden on the international community, appreciated the humanitarian aid so generously provided under extremely difficult circumstances. His country's objective was, and must be, to achieve autonomy, but the fact remained that the current situation made humanitarian aid indispensable. Industry was functioning at only 8 per cent of its pre-war capacity; there were 900,000 unemployed and more than 11,000 invalids in the civilian population alone, not to mention the families of soldiers who had been killed in combat, children who had lost their parents, elderly persons and other vulnerable persons for whom there were no suitable social programmes. Many of the women who had become their families' sole support during the war still fulfilled that role; they, along with the many demobilized soldiers throughout the country, constituted special social categories requiring the establishment of programmes for their specific needs. The extent of those problems called for a comprehensive approach and the rapid implementation of wide-ranging programmes.

21. It would be wrong to think, as some people did, that peace and democracy were enough in themselves to resolve the social, economic and political problems faced by a society as complex as Bosnia and Herzegovina. The intrinsic link between reconstruction and repatriation must be recognized.

It was essential to create the conditions that would enable the refugees and displaced persons to return to their homes. With the end of the war, the structure of assistance must be modified. Emergency aid must give way to the reconstruction of infrastructure and the implementation of social programmes that would facilitate the return of the refugees and displaced persons. As reconstruction and repatriation were not taking place at the expected pace, current humanitarian aid programmes must be pursued, not to say strengthened, especially as winter was approaching.

22. To recommend a reduction in aid on the grounds that peace had been restored was not consonant with the realities in the field. International aid met only a fraction of the total population's real needs. In 1996, for example, foreign aid had actually covered less than one fifth of the food and nutritional needs. The growing gap between expected and actual results could not fail to have social and psychological repercussions. The war was over, but the situation remained fragile and unstable and demanded concerted action, as well as the support of the United Nations system, the Multinational Implementation Force (IFOR) and NGOs.

23. There were currently more than a million refugees from Bosnia and Herzegovina scattered throughout the world, and more than 60 per cent of the total population of Bosnia and Herzegovina had left its original place of residence. What Bosnia and Herzegovina demanded and desired was the voluntary return of all those people. Repatriation was necessary not only to ensure respect for one of the fundamental human rights, or as a pre-condition for reconstruction and the return to normalcy, but also because, without it, the ethnic cleansing that had given rise to the exodus would somehow be legitimized. His Government was grateful to all those countries that had taken in its nationals, and to UNHCR for the aid it had continued to provide to displaced persons. Bosnia and Herzegovina now called on the international community to help it create the conditions conducive to those persons returning home.

24. The people of Bosnia and Herzegovina, who were skilled and well-educated, had the capacity and the will to reconstruct their country and create a democratic civil society that recognized human rights and fundamental freedoms. The country did not need pilot projects, but rather an ambitious programme conducive to repatriation and reconstruction and a smooth transition from emergency aid to development. That meant that certain steps would have to be taken. The first would be to encourage a climate of reconciliation; the second, to strengthen current UNHCR efforts to promote freedom of movement; the third, to expedite implementation of land-mine-awareness and demining campaigns in order to facilitate the process of return and prevent further loss of life; and the fourth, to set up compensation and reconstruction programmes that would enable the displaced persons to return to their homes and to restore property to its original owners.

25. He regretted that, during the crisis which had beset his country, the United Nations system and international NGOs had not done their utmost to help the population help itself. In that connection, he called on UNHCR, other institutions and donor countries to expand the ongoing programmes aimed at setting up local NGOs and strengthening those already in existence, at

ensuring the on-the-job training of local leaders and field workers, and at disseminating information in the Bosnian language that could help the people of Bosnia and Herzegovina in their effort to reconstruct and make a better future for their children.

26. Mr. ABALO (Observer for Benin) commended the High Commissioner for the smooth implementation of her programme, thanks to which the problems caused by the influx of refugees into Benin had been resolved. When, in 1993, Togolese refugees had arrived en masse, first at the border villages and then in Benin's major cities, his country's authorities had unstintingly given them shelter and new hope. Observant of the international conventions to which it was a party, Benin had refrained from refouling or expelling people who feared for their safety. Benin wished to thank the many organizations, including UNHCR, that had helped it to provide those refugees with emergency aid in the form of food and medicine.

27. In addition to the Togolese, 14,000 of whom were still in camps and host families, Benin was host to many other refugees, including Nigerians from the Ogoni ethnic group, Zairians, Cameroonians, Burundians, Rwandans, Chadians, Sri Lankans, Algerians and Sudanese. New strategies were therefore needed, as well as courageous and concrete action, to enable Benin to cope with the situation. Despite the cooperation of the international community, problems remained in two areas: the voluntary repatriation of refugees wishing to return to their homeland and the resettlement of those who remained in Benin, on the one hand, and the resources needed and the strategic management of those resources, on the other.

28. With regard to voluntary repatriation, the joint programme being implemented by UNHCR, Benin and Togo was bearing fruit: more than 105,000 Togolese refugees had returned home. To encourage the return of those refugees who were still undecided, that programme should be strengthened particularly by financing income- and savings-generating community-level micro-projects. Regarding the strategic resources needed to attain the objectives, the large number of refugees - almost 20,000 people - posed a problem. The resources made available to the National Coordinating Body for Assistance to Refugees should be reviewed so that that body could meet its obligations under the voluntary repatriation programme.

29. Among his Government's priority actions were seminars and training for staff assigned to the refugee programme, promotion of public awareness of Benin's humanitarian activities and establishment of a system for rapid communication between the persons responsible for the refugees' security. He hoped that the related activities of the international community would soon bear fruit.

30. Mr. MOHAMEDOU (Observer for Mauritania) paid tribute to the High Commissioner and her colleagues for their sometimes dangerous missions on behalf of refugees, whose numbers continued to grow. It was true that the international situation remained explosive and that armed conflicts in certain countries were still forcing people to flee so that by early 1996 the refugee total had reached 26.1 million. The refugee problem, which was acquiring disastrous proportions, left no continent unscathed.

31. The theme of the current session - the pursuit and implementation of solutions - was of great importance for all populations. The Executive Committee should study durable solutions with a view to discouraging exodus, establishing efficient warning systems, preventing fresh population placements, organizing and supervising refugees in host countries so as to prevent environmental damage, setting up parallel food-distribution programmes of micro-projects for host-country populations, and ensuring prompt initiation of special programmes for the reintegration of refugees who returned to their country of origin.

32. As at 7 October 1996, contributions to the UNHCR budget represented only 59.6 per cent of the expected total. The attention of the international community should be drawn to the gravity of that situation. He called on the principal donors to make additional contributions in order to stem and lastingly to resolve the refugee problem.

33. Mr. ALEEM (Sudan) said that his country, which had been an active member of the Committee for more than a quarter of a century, wished to open a new page in the history of its cooperation with UNHCR. The refugee situation placed a very heavy burden on the Sudanese Government and people: destruction of the environment, constant pressure on the infrastructure, political and social consequences and conflict with local populations. According to a 1988 United Nations report, international aid to the Sudan covered only 30 per cent of the country's actual refugee-related expenses. His Government had asked UNHCR to carry out an in-depth survey of all the refugees in the Sudan in order to assess their real impact on national resources.

34. Once the Government had perceived the international community's lack of interest in the fate of the refugees in the Sudan, it had invited UNHCR senior management to visit the country and see the real conditions in the camps. During his visit in March 1996, the Deputy High Commissioner had become acquainted with the refugee assistance programmes; that visit should pave the way to better relations with UNHCR. In Sudan's opinion, voluntary repatriation under conditions of dignity and security was the best solution. Within the framework of the tripartite agreements between the Sudan, UNHCR and the countries concerned, 12,996 Chadian refugees and more than 300,000 Ethiopians had been repatriated. Arrangements had also been made for the repatriation of 409 Syrians.

35. As it had proved impossible to reach a similar agreement with Eritrea, Sudan had attempted to conclude a bilateral agreement with UNHCR for the repatriation of 500,000 Eritrean refugees. Experience had shown, however, that success in voluntary repatriation did not come easily, as the situation had first to change in the country of origin: Sudan had experienced a reflux of Eritrean returnees. Refugee protection must be assured, even if issues of sovereignty in the countries of origin made that difficult.

36. His delegation was astonished at the accusations contained in the statement of the Observer for Eritrea. Sudan, having adopted an open-doors policy, had admitted more than a million refugees over a 30-year period. UNHCR was well aware that Sudan had placed many facilities (education, health,

social services and even land) at the refugee's disposal and had allowed them to move freely within its territory. Despite all that, the Eritreans were accusing Sudan of pillage and rape, acts which were forbidden by the religion of the Sudanese. His delegation rejected those accusations and the associated defamatory and irresponsible statements.

37. Sudan was not opposed to the voluntary repatriation of refugees. On the contrary, it was ready to sign immediately a tripartite agreement with Eritrea and UNHCR, especially as the Eritrean refugees were refusing to repatriate without security guarantees. Furthermore, UNHCR had commended Sudan for its unhesitating cooperation with the Ethiopian refugees. Eritrea, by contrast, had not been in the least cooperative, resorting to dilatory tactics so as to hinder the refugees' return. Eritrea in fact wished to exploit the international community, undoubtedly in order to finance its military adventures.

38. His delegation wished to stress that there had been positive developments in his country, creating a climate conducive to the refugees' return. Elections to the National Council had been held and steps had been taken to guarantee peace. The peace agreement signed with the rebel groups, in particular from southern Sudan, had permitted some refugees to return. UNHCR and the host countries were welcome to send representatives to Sudan to see the situation for themselves. Sudan, in turn, would like to send representatives to those countries to convince the Sudanese refugees to return home.

39. Sudan had repeatedly brought up the fate of Sudanese children kidnapped by the rebels. UNHCR, however, seemed to be losing interest, basing its position on reports from its staff that denied the reality of the situation. UNHCR should re-examine the matter objectively and neutrally. As to the displaced persons, his delegation had studied the proposal on international protection, as well as Economic and Social Council resolution 1995/56, which called on UNHCR to protect refugees. In Sudan's view, that solution, besides possibly complicating relations between UNHCR and the Governments of the countries of origin, would have a major financial impact on UNHCR, whose resources were already limited.

40. His country undertook to respect the regional and international agreements and to find durable solutions to the problem, particularly through the voluntary repatriation of refugees. He called on UNHCR and the international community to support projects on behalf of the refugees and displaced persons.

41. Mr. BENJELLOUN-TOUIMI (Morocco) said that his delegation shared the concern for efficiency, transparency and responsibility evinced by UNHCR during its efforts to restructure and adopt new working methods. The decision to delegate greater authority to the field must not, however, harm the essential central functions. Adapting programmes to the needs of each situation was a practical and rational approach likely to improve results, notwithstanding the scanty resources available to UNHCR. Morocco welcomed the completion of Project Delphi and the progress made in following it up.

42. UNHCR should pursue its activities in Bosnia and Herzegovina and Rwanda. The conclusion of the Comprehensive Plan of Action for Indochinese refugees, and the reconciliation achieved in Mozambique were as encouraging for the international community as for UNHCR.

43. Since Morocco's 1995 appeal for UNHCR to re-examine the case of the Sahraouis in the Tindouf camps, close consultations had been held with senior UNHCR management to consider how the Office could fully implement its mandate. His delegation was encouraged by the sincere willingness and open-mindedness shown by UNHCR in that connection. The exchange of views was continuing, and Morocco welcomed UNHCR's commitment to establish a comprehensive programme adapted to the region, one which would take full account of the reality in the field and of the need to promote solutions.

44. The choice of "the pursuit and implementation of solutions" as the annual theme for 1996 echoed Morocco's concerns. The international community and UNHCR believed that voluntary repatriation was far and away the most desirable solution. For Morocco, it was not incompatible with the plan to resolve the situation of the Sahraouis in the Tindouf camps to give them the option of returning to their homes, providing their choice was voluntary. Most of the population of the Sahara which was to take part in the referendum was located in the territory of the Sahara. Consequently, all those who would henceforth be returning to their homes with the help of UNHCR could, when the time came, exercise that right freely, on the same footing as those who had never left. The international community and UNHCR were rightly insisting on the conditions of return, which must be decent and dignified. Morocco had consistently called for return. It had also taken care to explain all the constitutional guarantees - which had recently been strengthened - and the legal and international guarantees offered to the Sahraouis in the Tindouf camps. They for their part, had always welcomed the call, despite their dramatic situation. Some of the Sahraouis who had returned to Morocco had borne arms against the country but were now a part of national life. Morocco had given its agreement in principle to the establishment of a UNHCR office in Laayoune in order to stress that fact and to facilitate the repatriation of other Sahraouis in the Tindouf camps who might wish to return home. Conscious of the close link between repatriation and reintegration on the one hand and development on the other, Morocco had been endeavouring for more than 20 years to raise the socio-economic and cultural level of the Sahara. It considered the population of the Tindouf camps to be Moroccan and would therefore not wish their situation to be even more difficult than it already was. Nevertheless, it was duty-bound to ensure that humanitarian aid reached its intended beneficiaries and was not diverted. That was why it had welcomed the creation of a UNHCR branch office in Tindouf and hoped that an international official would soon be designated to head it. The choice of the annual theme for the forty-seventh session could only be interpreted as a refusal by the international community to accept the status quo. Morocco encouraged UNHCR to show even greater resolve in seeking appropriate long-term solutions, the most desirable of which was none other than voluntary repatriation.

45. Mrs. MAIWAND OLUMI (Observer for Afghanistan) said that, while the Afghan people had always fought on behalf of civilization, liberty, justice, peace and human rights, the militia installed in Kabul were attempting to

impose their own ideas and new principles in order to break up Afghanistan and not merely to deter Afghan refugees from returning home, but also to encourage further internal population displacements.

46. The High Commissioner had expressed the hope that the repatriation of Afghan refugees would begin with the coming-to-power of the would-be new authorities in Kabul. The world seemed to have forgotten the methods those militia had used to seize power illegally in so short a time, after procuring the latest weapons and establishing themselves by force in various parts of the country. The High Commissioner's hope would surely remain vain. Those militia, who were supported from abroad, had promulgated barbaric laws totally contrary to all human rights. Indiscriminately massacring anyone found guilty under their "Islamic laws", persecuting and torturing women, they demonstrated total disregard for the Charter of the United Nations, fundamental freedoms and the Universal Declaration of Human Rights. God only knew what they would be capable of once they had succeeded in sowing anarchy everywhere. The High Council of the Islamic State of Afghanistan had strongly condemned their tyranny and reactionary attitudes, and the international community should do likewise. According to the UNHCR Chargé de Mission in Kabul, shops were closed, the streets were deserted and the residents were fleeing the capital en masse. Considering the treatment awaiting them there, what Afghan refugees dare so much as contemplate returning to, or residing in the region? To encourage them to do so would be contrary to the very mandate of UNHCR, under whose Statute the provision of international protection was indissolubly linked to the pursuit of durable solutions.

47. Mr. N'GORAN (Observer for Côte d'Ivoire) said that, while voluntary repatriation remained the best solution, its realization, like that of resettlement in third countries, depended on often uncontrollable factors. The only possibility for the refugee was then to live in the country of asylum, whether he was assimilated there or not. That was what was happening in Côte d'Ivoire, which hoped to enact legislation that would enable some refugees to be integrated. In that regard, his country, having obtained the consent of UNHCR, planned to register the refugees in order to issue them identity cards. Côte d'Ivoire was officially host to some 400,000 Liberian refugees, 305,000 of whom lived in an area comprising the entire western part of the country - not in camps, but mixed in with the population. For a long time, Côte d'Ivoire had officially rejected the notion of refugee and spoken only of "brothers in distress", which was why 40 per cent of the population was composed of immigrants. It was especially to protect the refugees, who lived on close terms with the population, from the movements of Liberian rebels that the Government had instituted a military operations zone in the west of the country which included the refugees' hosting area. Unfortunately, the Ivorian authorities did not have the resources to manage that zone, which was why they were asking UNHCR to share the costs of maintaining security there. The establishment of that zone should in no case be considered as a sign of a new policy towards the refugees. Continuation of the current policy - which it had to be admitted, was no longer universally accepted within the country - would depend on the success of the mission assigned to the zone. It was therefore incumbent on the international community to help Côte d'Ivoire take up the challenge.

48. Preventive measures were certainly needed to ensure refugee protection. The prime requirement, however, was for strategies that would offer them a minimum of well-being so as to keep them from committing criminal acts. Côte d'Ivoire having undertaken to refine its food-aid coverage, about 124,000 refugees would be excluded from it. Persons who, according to surveys, could become self-sufficient would not actually do so unless they were helped and supported. Unfortunately, the promised assistance had not been forthcoming, and reserves were inadequate. To date, the only income-generating projects had been micro-projects and agricultural projects. The success of commercial micro-enterprises depended on the purchasing power of the target groups: the people in the hosting area were for the most part refugees, and therefore indigent. Even if the projects did get under way, when supply exceeded demand the traders would be forced to sell at a loss and would end up bankrupt. Micro-projects did not, therefore, necessarily lead to self-sufficiency. For their part, agricultural projects required that new land be cleared and endangered the environment. The sudden massive arrival of refugees, who in some localities outnumbered Ivorians, had caused a profound imbalance in available natural resources. In addition, the hosting area contained industrial plantations, so that the availability of arable land was already limited.

49. The Liberian refugees could therefore not be confined to agricultural activities and small businesses. His Government was proposing to create jobs in the hosting area by undertaking major public works with the help of the international community. The projects would be a part of regional and local development programmes. They would facilitate movement and communication within the zone, contributing to the inhabitants' security and well-being.

50. The innovative solution adopted by Côte d'Ivoire - integration of the refugees into the Ivorian population - entailed constraints which should not be lost sight of. It was difficult for his country to ensure refugee protection at a time when food aid was suffering drastic reductions and income-generating projects were not producing the desired results. Côte d'Ivoire therefore appealed to the international community as a whole to help it pursue its novel policy with regard to the Liberian refugees.

51. Mr. MIGUIL (Observer for Djibouti) said that, despite certain repatriation operations that had led to durable solutions, the refugee problem had never been as serious as in recent years, especially as concerned the granting of asylum and the physical protection of refugees. The international community must give its full support to the host countries that, regardless of their own political, economic and social difficulties, were taking in hundreds of thousands or even millions of refugees.

52. Djibouti had been admitting successive waves of refugees for about 20 years. A large-scale operation for the repatriation of Ethiopian refugees had been undertaken with the assistance of UNHCR. Camps in Djibouti still contained about 20,000 Somalian and several hundred Ethiopian refugees. Those people were being looked after by UNHCR, but tens of thousands of others had settled in the city of Djibouti, causing serious environmental degradation. Refugees accounted for some 23 per cent of his country's population. The weak social infrastructure was being subjected to unbearable

pressure and could no longer meet the needs of the Djiboutians. He sincerely believed that, in tandem with repatriation, the solution lay in instituting development programmes in the region of origin.

53. The problem of the Ethiopian refugees had perhaps been solved, but, in view of the deteriorating situation in their region of origin, north-western Somalia, that was not the case of the problem of the Somalian refugees. For the majority of those refugees who lived in the city of Djibouti, and for the Djiboutian families affected by the economic crisis, the situation was increasingly difficult to bear. Accordingly, Djibouti formally requested UNHCR to do as it had done for the Ethiopian refugees living in the city of Djibouti and to plan to transfer 15,000 to 20,000 Somalian refugees to camps in 1997 in order to alleviate their suffering.

54. The civil war having been over for almost two years, more than 15,000 displaced persons had spontaneously returned to their regions of origin. As to the approximately 2,000 Djiboutian refugees still in Ethiopia, a Djiboutian delegation, accompanied by a representative of the UNHCR Djibouti office, was in Ethiopia in order to proceed with their identification and to plan a repatriation project. The Government formally requested UNHCR to prepare a multisectoral assistance and resettlement programme for the more than 15,000 Djiboutian spontaneous returnees and the 50,000 persons displaced within the country in the wake of the devastating fratricidal conflict. In addition, note should be taken of the precariousness of the recent Djibouti-to-Ethiopia repatriation operations.

55. Population displacements had basically economic causes. UNHCR and the international community should henceforth give priority to development programmes in the countries of origin. In the pursuit and implementation of lasting solutions, regional institutions such as the Intergovernmental Authority on Drought and Development (IGADD) could, with the support of international organizations, plan for, manage and solve refugee-generating conflicts.

56. Mr. WILLYBIRO SAKO (Observer for the Central African Republic) said that, since the early days of independence, his country had hosted refugees, most of them from central Africa, but others from West Africa, East Africa or southern Africa. Despite the diversity of their cultural and linguistic origins, they had been able to integrate rapidly into the country's socio-economic structures thanks to the capacity for assimilation of the Central Africans.

57. The Central African Republic, which had ratified the international conventions on refugees, had set up its own management structure, the National Commission for Refugees, which had long been cooperating with UNHCR. A sub-commission was in charge of considering requests for asylum.

58. His country accorded the same treatment to refugees as to its own citizens. The refugees could use social infrastructures and arable land free of charge and also had ready access to commercial activities. It had none the less been necessary to create reception sites, because of the large number of refugees from neighbouring countries.

59. Thanks to the help of the international community, coordinated by UNHCR, the Central African Republic had admitted and continued to admit asylum-seekers. Despite the economic, social and humanitarian problems engendered by the presence of displaced persons, the Government would not change its policy towards refugees.

60. Places in educational institutions were needed for more than half the refugee population. Because of the conditions set by UNHCR for the granting of scholarships not all the demand for such assistance could be met, and some refugees had therefore submitted applications to the Central African authorities, which had been unable to respond favourably due to the difficult economic situation. That situation had occasioned serious unrest and so led to the deployment of security forces in the cities. Secondary and primary schools, on the other hand, remained open to the refugee population. The continuing movement of refugees to the cities in search of work was aggravating the employment problem.

61. In view of those difficulties, his country believed it preferable to practise prevention and had therefore invested in preventive diplomacy at the subregional level, as testified by the recent conclusion of a non-aggression pact among the countries of central Africa. However, because that commitment did not shield the Central African Republic from further influxes of refugees, his Government appealed to the United Nations for greater mobilization for global peace and for the opening of sufficient credits not only to prevent internal conflicts and population displacements, but also to combat worldwide poverty, which was the principal source of discontent and power struggles. He paid tribute to the High Commissioner for her past and continuing role as mediator in Chad and other countries.

62. The Central African Republic, believing that its efforts to solve the refugee problems in the subregion deserved to be encouraged and supported, called for a special programme of international assistance to that end.

The meeting rose at 1 p.m.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.96/SR.512
15 October 1996

Original: ENGLISH

EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-seventh session

SUMMARY RECORD OF THE 512th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 9 October 1996, at 3 p.m.

Chairman: Mr. SKOGMO (Norway)

CONTENTS

ANNUAL THEME: THE PURSUIT AND IMPLEMENTATION OF SOLUTIONS (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Executive Committee will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.96-02990 (E)

In the absence of Mr. Mchumo (United Republic of Tanzania), Mr. Skogmo (Norway), Vice-Chairman, took the Chair.

The meeting was called to order at 3.20 p.m.

ANNUAL THEME: THE PURSUIT AND IMPLEMENTATION OF SOLUTIONS (agenda item 4) (continued) (A/AC.96/863, 867 and 872)

1. Mr. GOAGOSEB (Namibia) said that the members of the international humanitarian community, faced a momentous task calling for substantial logistical, material and financial assistance, but they also had to interact with a strong and unbiased political will in order to ensure durable peace and stability.

2. Peace and stability prevailed in the countries of southern Africa, with the exception of Namibia's northern neighbour, Angola. Three years ago, hopes had been expressed for peace in Angola, but they had not been fulfilled. None the less, his delegation was grateful for the continued efforts made by the Heads of State of the Southern Africa Development Community (SADC) countries to establish peace and stability in Angola and for international efforts, as illustrated by the presence of UNAVEM III in Angola, in which his own country's armed forces were participating. Unfortunately, the continuing flows of refugees from Angola into neighbouring countries made the repatriation exercise impossible.

3. The Memorandum of Understanding between SADC and UNHCR was a noteworthy example of the measures taken to prevent refugee flows. One of the objectives of the Memorandum was to address the region's social, economic and political issues, particularly those with a bearing on the root causes of population displacement, refugee protection, the provision of humanitarian assistance and the search for durable solutions, an aim that was in keeping with the objectives of SADC.

4. Prevention of refugee flows not only required countries to lend a helping hand; it also encompassed the concept of burden-sharing and of the country of first asylum, which was of particular concern to Namibia as some of its refugees were arriving from outside the region, a development that might in the long term lead to the emergence of xenophobia.

5. In 1994 his Government had developed a clear policy based on the 1951 Convention, the 1967 Protocol and the 1969 OAU Convention. It had made only one reservation, to article 26 of the 1951 Convention, on freedom of movement for refugees. However, Namibia had relaxed its policies towards refugees and asylum seekers and offered them increased opportunities to study and seek employment. The Government had already started to issue work permits to skilled refugees and a number of refugees had also been admitted to university.

6. Priority was given to refugees from Angola, on account of the continuing conflict there, although other asylum seekers were treated in accordance with the requirements of the Conventions. Refugees were encouraged to integrate in local communities and to engage in small income-generating projects to develop self-sufficiency.

7. The tide of refugees continued to rise relentlessly, stretching to the limits the international framework of protection, which was based on one simple powerful commitment: to protect refugees and offer a lasting solution to their plight. Refugee problems raised not only humanitarian and human rights concerns, but also focused on fundamental issues of international peace and security. The optimistic forecasts of the early 1990s, when the number of refugees throughout the world had declined, had been replaced by a far more sober reassessment of the impact of the new geopolitical realities on refugees. The reduction in East-West tension had created new possibilities for international cooperation to settle disputes, although the proxy wars of the previous decades had proved to have lives of their own, as was clear in many African countries, including Rwanda, Burundi and Liberia.

8. Mr. AL-TIKRITI (Observer for Iraq) said that, although the High Commissioner's latest report showed a drop in the number of refugees, there had been no improvement in the overall situation and efforts were still needed to work towards durable solutions, in which regard he paid tribute to UNHCR's efforts to assist and protect refugees in conformity with its international commitments.

9. As to humanitarian activities and particularly emergency assistance, despite the difficult economic situation caused by the economic embargo, Iraq supported a refugee population of more than 70,000, including 40,000 Iranian refugees. The Government was devoting considerable resources to meeting the needs of the refugees and provide them with the same food ration as Iraqi citizens. It was assisted in that task by the UNHCR Office in Baghdad. Iraq also hosted a population of 20,000 Kurdish refugees in the north, and their situation was being monitored by UNHCR.

10. Since 1991 Iraq had experienced extremely difficult conditions on account of the aggression and economic embargo against it, which had compelled Iraqi citizens to move to other countries, where they were often victims of various forms of abuse, occasionally of the most extreme kind. A Memorandum of Understanding between the United Nations and Iraq would permit the voluntary repatriation of large numbers of Iraqi Kurds.

11. At the beginning of August 1996 Iran had illegally sent armed forces into northern Iraq in support of Kurdish factions, thereby compelling Iraq to respond. In the process, numerous Kurds had been displaced to Iran. In the immediate wake of those events the Revolutionary Council had declared a general amnesty, on 11 September 1996, and the majority of the Kurds had since returned to Iraq. For many years the Iraqi authorities had been concerned to ensure the return of Iraqi refugees, and in 1991 had granted an amnesty which had led to the safe return of large numbers of Iraqi refugees from Saudi Arabia. His Government was ready to cooperate with UNHCR in order to ensure the safe and orderly return of both Iraqi and Iranian refugees.

12. Iran and Iraq had signed an agreement to permit the return of Iraqi refugees from Iran and of Iranian refugees to their own country. Unfortunately, Iraq's attempts to draw up lists, with the assistance of UNHCR, to enable it to accommodate its refugees had been frustrated by Iran's

failure to attend the second meeting organized for that purpose. The Iraqi authorities had been informed by UNHCR that the Government of Iran refused to allow the Iranian refugees in Iraq to return home. Iraq was endeavouring to find a solution to the problems of its Iranian refugees and was convinced of the need for radical solutions to permit the refugees to repatriate. The Government was prepared to receive its own refugees on the basis of the decisions taken by the Revolutionary Council on 21 July 1991, which had granted a general amnesty for all Iraqis and for those who had deserted from the armed forces, and of the general amnesty decreed on 11 September 1996 for all Iraqi citizens in the autonomous regions.

13. The Iraqi Government stood ready to implement the agreement reached with Iran. Host countries should not exploit refugee issues to achieve other ends. His Government appreciated the valuable role played by UNHCR in Iraq and in other countries in the region in seeking durable solutions. It was grateful for the assistance UNHCR had provided to refugees in Iraq and appealed for an increase in the resources allocated to those efforts, so as to permit UNHCR's office in Baghdad to perform its vital role.

14. Mr. DEMBELE (Observer for Mali) said the world still included areas of tension which challenged the conscience of mankind. In Africa, Asia and Europe, the conflicts, humiliations and suffering imposed on man by his fellows continued to engender vast population movements whose main victims were women, children and the elderly. Unfortunately, his own country, Mali, was among the countries that had contributed to the flow of refugees.

15. In June 1990 an uprising had broken out in among the Arab-Touareg population in northern Mali, which had tried by force of arms to express its concern about the economic backwardness of the northern regions. The confrontation, which had lasted almost two years, had come to an end with the signing, on 11 April 1992, of the National Agreement between the Government and the rebels, under the auspices of Algeria. However, the insecurity engendered by the conflict had not been cleared until the end of 1994, and further refugee movements and population displacements had occurred in the meanwhile.

16. Since early 1995 and thanks to the efforts of all parties involved, Mali had left no stone unturned to restore peace and calm in the north. Regional and national meetings had been organized throughout the country to involve the nation as a whole in the search for a solution to the problems in the north. Information campaigns had been carried out among refugees in the countries of asylum to assure them of the Government's good will. A meeting had been organized at Timbuctoo with development partners to consider jointly ways and means of consolidating peace through the revival of development activities and the return of the refugee and displaced populations. In October 1995 the former combatants had been grouped in order to disarm them and allow them to return to civilian life. In June 1996, the arms recovered had been burned in a symbolic ceremony at Timbuctoo. With the exception of isolated acts of banditry, the north of Mali was sufficiently secure to allow the return of the refugees and displaced persons and the resumption of the area's economic revival.

17. For several years, UNHCR had been working alongside the Malian Government and population to provide protection and assistance to Mali's citizens. It had made a precious contribution to reassuring refugees, preparing transit and resettlement sites, in conjunction with its repatriation operations and reintegration activities. The High Commissioner had modestly referred to UNHCR's contribution to the return of 50,000 refugees, but, the Office's input had been far greater, and the repatriation of Malian citizens for which it was responsible was an essential element in the consolidation of peace in the north of Mali and in the development of democracy, which should culminate in the forthcoming elections. He expressed the deep gratitude of the Government and people of Mali to the UNHCR and their hope that the international community would respond favourably to UNHCR's appeal for funds to finance programmes for the repatriation and reintegration of refugees from Mali and the Niger. Moreover, Algeria, Mauritania, Burkina Faso and the Niger had offered asylum, assistance and protection to his compatriots, often at the expense of their own environment. His delegation endorsed the approach advocated by UNHCR to the identification and implementation of durable solutions, in particular by mitigating, if not eliminating, the manifold causes of forced population displacements. Prevention was certainly better than cure.

18. Mr. Tae Yul CHO (Observer for the Republic of Korea) said the new thematic format for the Executive Committee's discussions would enhance UNHCR's productivity as it confronted the complex tasks ahead. The protection of refugees was primarily the responsibility of individual Governments, although an international system was required to ensure durable solutions to the problems refugees faced as a result of mounting pressure from many sources. UNHCR had a central role to paly in meeting that need.

19. He commended UNHCR's ongoing efforts to adopt a more effective, transparent and leaner management. The Action Plan drawn up under Project Delphi was an example of the High Commissioner's determination to translate her commitment into action. Korea welcomed the basic directions and objectives envisioned by Project Delphi and particularly the "situational approach", whose emphasis on the field rather than on headquarters was in itself a comprehensive approach which tackled refugee problems in an integrated fashion and focused on durable solutions. Secondly, his delegation supported the recommendation in the Action Plan for the establishment of a new strategic policy formulation mechanism and it was gratifying that the Centre for Documentation and Research (CDR) had already been engaged in formulating a global strategy paper. Thirdly, the emphasis on regional approaches in formulating and implementing UNHCR's operation-specific policy, as exemplified by the recent CIS Regional Conference in May 1996 was a welcome development and could serve as a model for a comprehensive regional approach, particularly in regard to prevention. Lastly, high priority should be placed on ensuring cost-effective financial management, with a particular emphasis on streamlining to eliminate duplication. The Office's financial health was critical if it was to respond to ever-increasing challenges.

20. It was impossible to prevent forced population displacement and achieve durable solutions through a single isolated approach. Concerted action, and a collective response from the international community were required with improved coordination between UNHCR and its partners, based on the comparative

advantages and complementarity of the agencies concerned. UNHCR had considerably improved coordination with other humanitarian organizations, as requested in Economic and Social Council resolution 1995/56. He encouraged the Office further to develop its cooperation and coordination with organizations such as UNDP and the World Bank, as durable solutions were facilitated by linking relief with post-conflict rehabilitation and development.

21. Professional, experienced NGOs were also a crucial element in refugee protection and assistance, and UNHCR's efforts to reinforce its working relationships with them, in the interests of maximum efficiency, were a welcome development. The Office's comprehensive, strategic and solution-oriented approach gave it the potential to achieve far more. However, failure to address the root causes of forced population displacement and refugee outflows doomed such an approach to failure. For that reason, he supported UNHCR's prevention activities, even though they fell largely outside its mandate. In that area too, it was important to avoid overlapping and duplication.

22. In the past three years the Republic of Korea had greatly increased its contributions to UNHCR's General and Special Programmes: its contribution to the General Programme alone had increased sevenfold from $100,000 in 1994 to $700,000 in 1996, figures that testified to his Government's commitment to UNHCR's activities in facing the challenges ahead.

23. Prince SOBANDLA (Observer for Swaziland) said that the local populations of many developing countries viewed the refugee situation as a threat to their own survival. With the help of UNHCR and NGOs, however, Swaziland had neglected neither its own people nor its United Nations responsibilities. UNHCR had held regional seminars to assist the local media in explaining the refugee crisis to the general public, NGOs had identified a number of practical solutions to the refugee problem and the Partnership in Action (PARINAC), composed of Governments, UNHCR and NGOs, had designed innovative and practical refugee programmes. Swaziland was working closely with refugees in order to instil the concept of self-sufficiency and promote a culture of peace. It had organized workshops on small-scale business management, group dynamics and leadership styles, and reconciliation and conflict resolution.

24. Although the present generation claimed to be the most developed in human history, it was still tightly bound by chains of ignorance that defined a person by the colour of his skin, the size of his territory or the balance of his bank account. It was, therefore, of particular significance that King Mswati III of Swaziland, President Chissano of Mozambique and High Commissioner Ogata had personally visited refugees in Swaziland, thereby helping to restore the human dignity shared by all.

25. Swaziland was proud to have been unanimously nominated by UNHCR and the NGOs of its subregion as regional PARINAC coordinator for the next two years and would strive to meet that responsibility. The demise of apartheid in South Africa, the restoration of peace in Mozambique and the workshops

sponsored by UNHCR on international refugee policy and the principles and procedures of refugee determination were important factors that augured well for the future of the refugee situation in the subregion.

26. Mr. TARMIDZI (Observer for Indonesia) said that durable solutions depended on the full commitment of all the parties concerned and the shared responsibility of the international community. The completion of the Comprehensive Plan of Action in South-East Asia (CPA), which had charted a durable solution to the question of the Vietnamese boat people, was attributable to that principle.

27. As a country of first asylum since 1975, Indonesia was fully committed to finding a durable solution for the thousands of Vietnamese boat people encamped on Galang Island. On 8 September 1996, a joint statement had been issued by UNHCR and the Government of Indonesia, officially completing the implementation of the CPA for Galang Island. The 18 people waiting to be resettled in third countries had been given temporary accommodation, and it was incumbent on the international community to help solve their plight.

28. He expressed his Government's deepest gratitude and appreciation to UNHCR, resettlement and donor countries and the Government of the Socialist Republic of Viet Nam for their full commitment to the completion of the CPA for Galang Island, Indonesia.

29. Mr. NDIAYE (Senegal) said his delegation supported UNHCR activities, in particular the changes taking place in the framework of Project Delphi. The theme under discussion, the pursuit and implementation of durable solutions, was more important than ever.

30. As many documents indicated however, the decrease in the number of refugees had not been accompanied by a drop in the causes of refugee flows. Conflicts continued in numerous regions of the world, while asylum, the cornerstone of refugee status, was being eroded in an unfortunate trend away from solidarity. Such a context required a comprehensive approach, one that would involve all the actors concerned at the international, regional and national levels and foster the emergence of the political will to enforce human rights and the rights of refugees at all stages of the process. Protection of refugees was of paramount importance.

31. Better strengthening of humanitarian coordination mechanisms and greater cooperation among countries of origin, transit and asylum countries were indispensable in arriving at long-term stability for the entire population, including refugees. It had to be acknowledged, however, that despite its vague nature and difficulty of implementation, prevention might be the best way to avoid the need for protection. It must deal with the root causes of massive refugee outflows and ways should be examined of strengthening the High Commissioner's political role in informal consultations and in raising political leaders' awareness of the consequences of conflicts.

32. In New York recently, the "Friends of Rapid Reaction Group" had proposed a new concept, the "Rapidly Deployable HQ", in addition to the idea of a "Stand-by Brigade". That showed the international community was seeking innovative solutions to avoid past delays and errors in peace-keeping. It

also showed that there was room to expand the scope of UNHCR's role in regions where there were signs of an impending crisis. Discreet action without media exaggeration might yield valuable results; in many countries, the humanitarian side of the United Nations was perceived quite differently from the political side.

33. He encouraged the High Commissioner to continue UNHCR's cooperation with the Organization of African Unity, especially in the framework of the implementation of the African conflict prevention and settlement mechanism.

34. Mr. ULUCEVIK (Turkey) said that, although refugee problems had become less severe in 1996 in terms of numbers, their gravity in terms of human suffering persisted throughout the world. The need for effective solutions was more pressing than ever, and the preferred solution should continue to be voluntary repatriation. To that end bilateral contacts between the country of origin and receiving countries should be encouraged, and the international community should play a constructive role in that process through UNHCR. Third-country resettlement, however, should also be kept as a viable option.

35. Turkey, in a volatile region of political fluctuation, had always been affected by population movements. It was at present hosting approximately 30,000 refugees and cooperated with UNHCR in seeking durable solutions and in meeting intermittent emergency situations in the region. The exemplary cooperation between the Turkish Government and UNHCR meant that the voluntary repatriation of nearly half a million people who had taken refuge in Turkey in 1991 had been completed successfully.

36. The refugee problems in Bosnia and Herzegovina, together with those in the Great Lakes region of Africa, had posed a daunting challenge for UNHCR in recent years. Although the Dayton Agreements had put an end to the genocide perpetrated against the Bosnians, enormous tasks lay ahead in restructuring the State of Bosnia and Herzegovina and remedying the agony of the war-stricken population, including the refugees. UNHCR was to be commended for the work it had accomplished since the signing of the Dayton Agreements.

37. He endorsed Project Delphi, which would render UNHCR more dynamic, less bureaucratic and more responsive to the exigencies of the present. Project Delphi highlighted the new notion of a comprehensive regional approach, based on the past examples of CPA, CIREFCA and the latest CIS Conference. The Office should proceed in a "lessons-learnt" approach in consultation with the Governments concerned. He welcomed the conclusions of the CIS Conference, but regional processes must be complemented with bilateral contacts among interested countries. It should also be borne in mind that definitions and principles formulated in regional processes were applicable only in the relevant regional framework.

38. Turkey attached great importance to the security of the refugee camps under international protection. Any armed activity around refugee camps, particularly with the aim of destabilizing Governments, was carried out in violation of the camps' civilian and humanitarian character. The international community and UNHCR must be vigilant, to make sure that refugee camps would never be used by terrorists for training or logistical purposes.

39. Mr. LE LUONG MINH (Viet Nam) said that armed conflicts, external interference, poverty and hunger persisted in many parts of the world, leading to massive flows of refugees. Africa and Asia had always been the regions with the highest numbers of refugees. That was natural, since many countries on those two continents had for half a century been denied the peace needed for development activities, a situation that the recent positive changes on the international scene had not been sufficient to counteract. In that regard, the present topic of debate for 1996 was appropriate and he fully agreed that the essential elements in solving the root causes of refugee problems were peace, friendly international relations and international cooperation for the sustainable development of all countries.

40. After seven years of implementation, the Comprehensive Plan of Action for the Indo-Chinese refugees had been widely recognized as a successful durable solution. A great number of asylum-seekers meeting the requisite criteria had been resettled in third countries and most of the others had returned to their countries under voluntary repatriation programmes. The CPA had been a success thanks to the attention of the international community and cooperation between the countries of first asylum, resettlement and origin, and, of course, the very important supervision and steering role of UNHCR. He extended his Government's sincere appreciation to the Governments of the countries concerned, the staff of UNHCR, the donor countries and the many non-governmental organizations for their valuable assistance.

41. Although the CPA had officially ended in June 1996, more than 11,000 people were still in camps in Hong Kong and a small number in some South-East Asian countries. His Government was committed to doing its utmost, in close cooperation with UNHCR and other countries concerned, to accelerate their repatriation on a voluntary basis, with respect for their dignity and without violence or coercion. He hoped that the resettlement countries would simplify their procedures to speed up that process and that the international community would continue to provide the necessary assistance for the reintegration programmes.

42. There had been a reference during the debate to "Indo-Chinese refugees in China". He wished to state that there were no Vietnamese refugees in China. At the end of the 1970s, at the call of their own Government, a number of Chinese citizens who had been living in Viet Nam had left for China; they had been living in their homeland for the past two decades. That was a question of the past and should be closed.

43. Mr. SOOKLAL (Observer for South Africa) said that every possible solution to the growing refugee problem had been implemented and the time had come to examine durable solutions. It was also necessary to approach refugee problems from the wider perspective of conflict resolution. Human catastrophes of the kind witnessed in Burundi, Rwanda and Bosnia might have been prevented or minimized if conflict-prevention mechanisms had been in place.

44. His Government viewed the situation in the Great Lakes region in a very serious light. It had responded financially to United Nations inter-agency appeals and President Mandela had appointed a special envoy to promote

dialogue between the various parties. He wished to acknowledge the spirit and generosity of the neighbouring countries which had received refugees from that troubled area.

45. South Africa had acceded to the 1951 Convention, the 1967 Protocol and the OAU Convention in January 1996. The Government was drafting legislation on refugees, which it expected to enact during the next parliamentary session in 1997. The celebration of Africa Refugee Day had been marked by a special debate in Parliament on the issue of refugees, with support from all political parties in Parliament for just implementation of international and regional instruments.

46. Even before becoming a party to international refugee instruments, South Africa had implemented their provisions when it had signed the Basic Agreement with UNHCR on 6 September 1993. It had fully complied with the various conclusions relating to the voluntary repatriation of Mozambican refugees. The cessation clause would take effect on 31 December 1996, and the estimated 90,000 Mozambican refugees who might find themselves in South Africa after 31 December 1996 would be given the option of becoming permanent residents. The voluntary repatriation programme, one of the success stories in Africa, had been achieved with the excellent cooperation of the Government of Mozambique and assistance from UNHCR.

47. South Africa had also embarked on a number of initiatives to expedite the asylum-determination process. With assistance from the UNHCR Southern African Regional Office, it had trained more than 1,000 officials, including immigration officers and selected officials from the South African National Defence Force and the South African Police Services. It had also developed a computer program to monitor the flow and status of asylum applications as well as refugee movements. A database of all asylum-seekers and refugees in South Africa would be compiled to allow machine printing of identity documents for refugees. The program would also facilitate the reunification of refugee families and would be made available, with assistance from the Raoul Wallenberg Institute, to all member States of the Southern African Development Community.

48. Mr. BENITEZ (Argentina) said that the reform of the Executive Committee's working methods and the innovative approaches adopted by UNHCR were appropriate responses to the challenge of the refugee crisis throughout the world and, in that connection, he expressed his support for Project Delphi. He also shared the view of the Director of the Regional Bureau for the Americas and the Caribbean about the considerable progress made in that region, which was consistent with a long Latin American tradition of hospitality. He, too, joined other delegations in commending the gesture made by Mexico. In the near future, Latin America, especially South America, would undoubtedly provide fewer challenges for UNHCR and many more opportunities for cooperation in assisting refugees throughout the world. In that respect, his Government had embarked on a policy of international humanitarian cooperation, which included an international voluntary assistance network for resolving humanitarian emergencies. The white helmet initiative was in itself a channel for efficient cooperation that could become operative practically immediately.

49. As the refugee problem was primarily one of the developing countries, the possibility of South-South cooperation in aid and rehabilitation activities should not be neglected. For that reason, his Government viewed with concern the decision to transfer the Buenos Aires regional office. Notwithstanding the level of development achieved by Argentine institutions and the virtual non-existence of refugees in Argentina, it was not logical geographically speaking for the three regional offices for the Americas and the Caribbean (including South America) to be located in the northern hemisphere. He trusted that UNHCR would review that arrangement and maintain the present distribution of regional offices in Latin America. The decision was not justified from a budgetary point of view and might jeopardize channels of cooperation between UNHCR and Argentina that had existed for over 30 years. Such a decision should not be based merely on conflict prediction but should take account of possibilities for cooperation.

50. Of the possible durable solutions, the international community had indicated its preference for voluntary repatriation, underlining the responsibility of the country of origin and the need to identify the root causes of displacements. Clearly solutions would only be durable in a context of political stability, respect for human rights and primacy of the rule of law. UNHCR's network of branch offices was in an excellent position to identify hazardous situations, to which end it should intensify its dialogue with the various actors and coordinate activities in the field. Economic and Social Council resolution 1995/56 set out bases for better coordination of humanitarian assistance efforts. The CIS Conference was an example to be followed with regard to prevention, and UNHCR's work in organizing it was commendable.

51. Mr. BIN GHANEM (Observer for Yemen) said UNHCR had contributed to solutions to a number of refugee problems over the past year, and thousands of refugees from, inter alia, the Balkans, the Great Lakes region of Africa and China had voluntarily returned to their homes. Since the challenges facing UNHCR could be overcome only through international cooperation, donor countries should increase their assistance with a view to ensuring respect for the rights of refugees throughout the world. Since the 1980s, Yemen, inspired by traditional Muslim values, its historic ties with neighbouring countries and the 1951 Convention and 1967 Protocol, had acted as host to thousands of refugees from the heart of Africa and its experience had led it to conclude that acceptance of refugees was a humanitarian duty shared by all.

52. The pursuit of durable solutions required action to prevent armed conflict and blatant human rights violations and to halt them when they occurred. Such acts threatened the international community as a whole.

53. Yemen had supported the initiative for peace in Somalia and was attempting to mediate between the parties to the conflict with a view to finding possible solutions and ways to achieve national reconciliation. In the event of success, Yemen would have helped to halt the flow of refugees from that region and to promote their voluntary return to their homes, which would be the best solution to the problem. It was a flagrant human rights violation for countries of origin to object to the return of their citizens or

to place illegitimate obstacles in the way of their return. Many refugees now in Yemen were quite prepared to return home but were prevented from doing so by their own Governments. UNHCR should promote dialogue with a view to making that return possible.

54. Yemen, the first country to sign the 1951 Convention, reaffirmed its commitment to the Convention and asked the Executive Committee to increase the resources of the UNHCR office in Yemen, and so enable the office to speed up its relief operations. Yemen alone could not meet the needs of the large number of refugees there.

55. Ms. SIMBIZI (Observer for Burundi) said Burundi was only too well aware of the problems in the Great Lakes region of Africa. Following its recent experience as a host for many Rwandan refugees, it had experienced massive departures of Burundians as a result of internal crises and, since October 1993, the problem of internally displaced persons. Burundi was, therefore, aware that host countries bore a heavy burden, and it thanked Tanzania and Zaire for their hospitality to Burundian refugees.

56. Burundi supported voluntary repatriation as a durable solution. While it fully endorsed the resolutions and plan of action resulting from the Regional Conference on Refugees, Returnees and Displaced Persons held at Bujumbura in February 1995, it was also convinced that return, resettlement and reintegration were impossible without the re-establishment of peace and security. It therefore called on the international community, the United Nations, the Organization of African Unity (OAU) and the international and subregional organizations to help it achieve that goal. All parties must avoid engaging in manipulation or globalizing the problems of the subregion, thereby spreading disinformation and disillusionment and compromising the possibility for a lasting peace. Only through dialogue could the root causes of the crisis be eliminated and solutions found for a return to peace, security and democracy.

57. The Burundian crisis entailed humanitarian problems: refugees and internally displaced persons led a precarious existence and had increasing difficulty in obtaining even the most basic types of assistance. The sanctions imposed on Burundi were producing harmful effects, particularly on the most vulnerable groups: children, women and older persons, both in the refugee camps and elsewhere. Burundi was counting on the support of the international community to alleviate the suffering of its people, who had a right to humanitarian assistance. The embargo could only worsen the situation of those victims.

58. Mr. DELMI (Organization of African Unity (OAU)) said that Africa now had nearly 7 million refugees, the highest total for any continent, and nearly 20 million internally displaced persons. At the Committee's previous session, the OAU Secretary-General had emphasized the need to provide protection and humanitarian aid, particularly since armed conflicts were often the cause of forced displacement.

59. The situation in the Great Lakes region was a source of serious concern. The genocide in Rwanda in April 1994 had caused an unprecedented influx of refugees into Tanzania and Zaire with a consequent deterioration in the

environment and destruction of health, educational and other infrastructures, that would take a long time to rebuild. Despite efforts to implement the Plan of Action adopted at the Bujumbura Regional Conference, there had been little voluntary repatriation of refugees in the Great Lakes region, and insufficient assistance had been pledged for rehabilitation, reconstruction and repairs for damage caused in the asylum countries. The tension in Burundi had also increased pressure on neighbouring countries.

60. In West Africa, OAU was concerned by the situation of Liberian refugees in neighbouring countries, such as Côte d'Ivoire and Guinea. The international community should support the efforts of the Economic Community of West African States (ECOWAS) to find a solution to the conflict and make it possible to restore the country's political institutions, of which the first task would be to create favourable conditions for the return of Liberian refugees. There had been some improvement in East Africa, but much remained to be done to halt the exodus of populations fleeing the conflicts in Somalia, southern Sudan and northern Uganda. As to southern Africa, the situation in Angola was particularly serious, and OAU regretted the slowness and problems that were hampering implementation of the Lusaka Agreement and the return of peace. In North Africa, the situation of Sahrawi refugees was another source of concern. The obstacles to the implementation of the United Nations peace plan for Western Sahara were hindering the organization of a free, fair and credible referendum as a step towards a final solution to that fratricidal conflict.

61. The topic under discussion coincided with OAU's objective of promoting peace and security on the African continent, without which there could be no lasting solution to the refugee problem there. In that context, OAU was attempting to assist in conflict settlement and to promote the economic development and integration of African countries within the framework of the Treaty establishing the African economic community. OAU's encouraging experience in Mozambique, Mali and the Horn of Africa convinced it that the search for and implementation of lasting solutions required certain conditions that must be based on specific principles. Those conditions included, on the one hand, the need for a global approach that would take into account humanitarian, political and economic objectives and, on the other, coordination of efforts by the countries of origin, asylum countries and the rest of the international community. The underlying principles for lasting solutions included, at the domestic level, the promotion of national reconciliation and tolerance, at the regional level, cooperation between asylum countries and countries of origin and, at the international level, solidarity and internationally shared responsibilities.

62. Mr. GRIFFITHS (Department of Humanitarian Affairs (DHA)), speaking on behalf of Mr. Akashi, Emergency Relief Coordinator, said that over 26 million people had been forced from their homes, enduring both psychological and physical suffering, and had no other choice than the road to exile. The international community must make increased efforts to address not only far-reaching solutions, but also daily problems in the field. Humanitarian response to emergency crises was the mandate of DHA and UNHCR, which should, therefore, continue to cooperate. There were many examples of such productive cooperation in the Commonwealth of Independent States (CIS); in Moscow, Armenia, Georgia and Tajikistan, individuals had worked simultaneously as

UNHCR and DHA representatives. Unfortunately, renewed violence in Tajikistan had resulted in a resurgence of humanitarian needs and a large number of internally displaced persons.

63. In the Great Lakes region of Africa, humanitarian assistance was part of a larger issue in which security, reconciliation and justice meted out to the perpetrators of the genocide were inextricably linked, a fact which posed an unprecedented challenge to the humanitarian actors in the field. With that in mind, DHA would be holding a regional meeting in Nairobi in late October 1996 to formulate a humanitarian strategy for the Great Lakes region. Growing tensions made it necessary to undertake contingency planning, yet such planning would never be enough if the worst was yet to come. He therefore appealed to the international community to step up its efforts to defuse such tensions before it was too late.

64. In addition to its field activities, UNHCR had helped to establish the Military and Civil Defence Unit, which was currently setting up a government service package register and would be responsible for maintaining the capacity to re-establish an air operations coordination cell based on lessons learnt from the Sarajevo airlift; Relief Web, a project which gathered and circulated information of relevance to the humanitarian community in order to improve the common base for sound operational decisions; and the Complex Emergency Training Initiative (CETI), a DHA-coordinated forum dealing with issues of common concern to United Nations agencies and international organizations which sought ways to address problems in a cost-effective way through joint activities and training for complex emergencies. He noted with appreciation the importance that was attached to CETI.

65. The lead agency concept was one of several options to be considered in humanitarian response. UNHCR had been in the forefront of discussions regarding the question of when to make use of that approach, and conclusions on the matter should soon be reached. It was for the Emergency Relief Coordinator, working in close consultation with the Inter-Agency Standing Committee (IASC), to determine whether a lead agency approach was appropriate in a given emergency, but that task would become easier when clear criteria had been established. The lead agency would, in all cases, be accountable to the Emergency Relief Coordinator. Observance of those guidelines would make it possible to provide the desired predictability of response and coordination.

66. He welcomed the support for IASC and its role as a forum for both policy and operational issues. The Emergency Relief Coordinator continued to support IASC as the primary mechanism for inter-agency coordination and, to that end, would convene a meeting of the Inter-Agency Standing Committee to address that issue on 30 October 1996.

67. DHA also welcomed UNHCR's involvement in the pursuit of solutions, which required partnership with other organizations and clarity with regard to their respective roles, particularly on the issue of prevention. Memoranda of understanding and, in particular, the one currently under discussion with UNDP, should reflect a division of responsibilities based on a sound assessment of capacity as well as mandate. He welcomed the recommendations that the memorandum should be completed as quickly as possible. It was

essential for the complex task of prevention to be undertaken in an integrated manner and to be reflected in the United Nations system's country programme notes and strategies.

68. Assistance to internally displaced persons continued to be problematic, yet the support of Member States would certainly make it possible to work towards finding a predictable approach to providing humanitarian assistance to internally displaced persons in the coming months. The international community could not simply continue to call for such clarity; it must produce it.

69. UNHCR had played a major role in the follow-up to Economic and Social Council resolution 1995/56. It was an active member of the Council's Task Force and fully participated in policy discussions within IASC. UNHCR's work on that issue, as evidenced by the meetings of the Standing Committee, had made a welcome contribution to the debate within the humanitarian community, and it was probable that, at the next Economic and Social Council session, it would be possible to submit a document with clear recommendations for improving the United Nations system's capacity for humanitarian response.

70. Mr. GRAISSE (World Food Programme) said that the World Food Programme (WFP) had a dual mandate for both development and emergency programmes. Food aid had proven to be well-suited to providing support to returnees as they tried to re-establish themselves and rebuild their lives, and WFP had worked closely with UNHCR to support returnee rehabilitation programmes. WFP not only provided food assistance to refugees when they were in asylum countries, but accompanied them back when they were able to return to their homes and continued to support them with rehabilitation activities. Its mandate enabled it to assist in the reintegration process by giving it the ability to support development-oriented programmes in countries of origin prior to the return of refugees.

71. UNHCR continued to be WFP's major partner in many of its largest operations throughout the world. In 1995, WFP had provided food aid valued at $1.2 billion for emergency and development programmes. About two thirds of that assistance had gone to 25 million internally displaced people, refugees and victims of natural disasters. Close cooperation with UNHCR therefore represented a most important priority for WFP. The Memorandum of Understanding between the two agencies underlay their working relationship, greatly facilitating their collaboration and was particularly useful at the start of a new emergency, as the role of each agency was pre-defined. That sped up the planning process and both agencies could respond more quickly and in a more organized fashion for the benefit of the people in need.

72. The well-being of over 10 million refugees depended to some extent on the effectiveness of the working relationship between UNHCR and WFP. Important to both agencies was accountability, and much had already been done at the working level on a revised memorandum of understanding that addressed issues such as registration, food distribution and reporting. The latest memorandum would be finalized in the near future. WFP was also undergoing a major reorganization. It was instructive to note that WFP and UNHCR, both operational agencies striving for increased effectiveness, had independently come to similar conclusions. WFP's mandate was to assist the poor and the

hungry, who did not live in Rome or Geneva. The heart of its work was in the field and that was where its decision-making capacity should be. Priority was therefore being placed by both agencies on decentralization to the country level.

73. Mr. AYALA-LASSO (High Commissioner for Human Rights) said that, for the purpose of dealing with the refugee problem adequately and effectively, he was in full support of developing cooperative strategies with UNHCR, with a view to consolidating the expertise of the two offices in jointly addressing the human rights aspects of the problems of refugees and displaced persons around the world. In recent years, the value of comprehensive early-warning and prevention action had been increasingly recognized. Preventive human rights action aimed at strengthening or preserving the rule of law and the pillars of state in conformity with internationally accepted standards of human rights might indeed help avoid social disasters, the collapse of Governments and their institutions or internal or international conflicts. That in turn was an essential element in preventing flows of refugees and displaced persons as well as mass exoduses.

74. Most importantly, human rights monitoring had not only a preventive function, but should form an integral part of early warning. It was clear that in many situations, the character, level and extent of human rights violations indicated the state of political security in a given place. Human rights violations, if unchecked, undoubtedly contributed to the decay and disintegration of civil society. He was endeavouring in all such situations to undertake more concrete action with a view to addressing the root causes. His Office went to the field in order to ensure that conflict prevention was based on a dynamic analysis of the human rights situation and related matters. Often, the mere presence of human rights field officers helped reduce tensions and diminish human rights violations at a critical stage. Early warning was none the less doomed to failure if the international community refrained from taking appropriate action.

75. With that in mind, he had opened an office in Bujumbura in June 1994 to provide technical cooperation concerning justice, the media, education and training for various segments of Burundian society. Right from the beginning of those initiatives, he had considered that the monitoring aspects of his Office's presence in the country were also necessary, in order to prevent and reduce human rights violations and inter-ethnic violence as well as to foster a climate of peace, confidence and tolerance among the members of society. On the premise of the deterrent effect of a significant number of human rights observers in the field, he had decided to double the number of observers from 5 to 10. He still hoped to be able to reach at least the number of 35 human rights observers in keeping with the decisions of the Commission on Human Rights and the availability of financial resources.

76. Rwanda provided an important example of the multi-faceted approach to human rights implementation in the field. In that case, prevention had clearly failed, as the international community had not paid sufficient attention to the early-warning signals provided. He had launched the Human Rights Field Operation in Rwanda (HRFOR), a major initiative currently numbering some 110 international personnel, which had served Rwanda by charting with its Government the long and difficult path to national

reconciliation. Confidence-building, the key objective of HRFOR, was undoubtedly crucial to the return of refugees. He was ready to strengthen his Office's close cooperation with UNHCR in facilitating the process of the return of the Rwandan refugees in Zaire. HRFOR would be asked to help assess the state of readiness of home communes to receive returnees and make sure that basic human rights were respected at all stages of return, resettlement and reintegration.

77. Apart from the Human Rights Field Operations in Rwanda and Burundi, his Office was currently conducting field activities in such countries as the former Yugoslavia, Cambodia and Malawi, and was engaged in preparatory activities for establishing a field presence in Zaire, Colombia and Abkhazia/Georgia. It was increasingly obvious that, in the context of both preventive initiatives and emergency response, the concerted effort of the international community was required. The problems posed by crises such as those in Rwanda or the former Yugoslavia went beyond the capacities of any one agency or organization. Increased cooperation of the human rights programme with regional bodies, including the Council of Europe, the Organization of African Unity (OAU), the Organization of American States (OAS), the Organization of Baltic States and the Organization of Security and Cooperation in Europe (OSCE), had proven to be of great value. The prominent status given to human rights in the programme of action adopted in the context of the CIS Regional Conference and relevant neighbouring States could serve as a model for other regional initiatives. The continuum of protection required by the individual in terms of applicable humanitarian action and protection of human rights also implied a need to look more closely at ways and means of coordinating more effectively the work of official bodies whose mandates encompassed the objectives of each. Since the links between human rights issues and the questions on refugees and displaced persons were inseparable and required comprehensive approaches, closer consideration should be given to how the mandates of the different agencies could be mutually reinforcing in providing assistance and protection.

78. Mr. ROGIVUE (United Nations Volunteers) said that each year the partnership between United Nations Volunteers (UNV) and UNHCR was further strengthened and the involvement of volunteers in humanitarian relief, protection, human rights, rehabilitation and life-sustaining assistance was more important. In the past year alone, close to 150 UNVs had served with UNHCR in various parts of the world. The two agencies continued to explore new avenues for cooperation. Their joint work was being done in countries and regions such as Angola, Bosnia, Georgia, Sierra Leone and the Great Lakes. That work was made possible in large measure through the support of donor countries. Although UNV's recent efforts had often been defined by emergency activities in environments of conflict, its cooperation also included the essential activities of repatriation or resettlement in more peaceful areas.

79. The interests of refugees as well as the international community's efforts and resources could in most instances be better served through the active pursuit of solutions in the country of origin. UNV was especially pleased to be working with UNHCR in the essential fields of reconciliation and peace-building, and together the two could hopefully help build bridges towards the goals of good governance, human rights and sustainable

development. Participation of the people affected was inextricably linked to all aspects of those solutions. Such participation must extend throughout all levels and to all groups within the community, including, in particular, women. Only through a participatory approach that involved and empowered people could durable solutions be found to the causes of displacement. Volunteers were well placed to help foster such participation and could contribute to the finding of long-lasting solutions. As UNV celebrated its twenty-fifth anniversary, it also celebrated 25 years of close and constructive work with UNHCR.

80. Mr. DE COURTEN (International Committee of the Red Cross) said that the repatriation of refugees and the return of internally displaced persons was a subject of serious concern to the International Committee of the Red Cross (ICRC), as those individuals were almost always victims of war. Because of its presence in the field, ICRC had gained a thorough understanding of the conditions for the return of refugees and people displaced within their own countries. Certain principles must be respected in the event of voluntary return. An over-hasty return might run counter to the interests of the victims themselves, especially when large numbers were involved. That could, moreover, jeopardize the entire peace-building process. Security conditions must be acceptable and housing decent for the returnees, as they were essential prerequisites for starting a new life. Factors of instability in the area of former residence must be overcome, particularly by establishing mechanisms for the restitution of property and the restoration of an efficient and independent judicial system.

81. The joint efforts of humanitarian organizations could not possibly meet such needs without the support of the entire international community and, more importantly, of the parties who only recently had been in open conflict. The return of refugees and internally displaced persons must, nevertheless, not be made subject to considerations other than those of a purely humanitarian nature. The limits of humanitarian action, which alone could not create the conditions favourable for such a return, must be recognized. ICRC fully shared UNHCR's concern regarding the return home, in the case of Bosnia and Herzegovina, of hundreds of thousands of refugees and internally displaced persons. In the Great Lakes region of Africa, the presence of those countless victims had imposed a heavy burden on the host countries, whose show of solidarity deserved the highest praise and must command full support. A global approach could alone lead to a solution to that grave problem.

82. ICRC was also taking part in the international debate on the legal protection of persons displaced within their own countries. The quality of the compilation and analysis of legal norms protecting internally displaced persons, prepared by the representative of the Secretary-General, should be highlighted. That report concluded that, while existing law generally afforded good protection to the internally displaced, in some areas, for example those concerning the right to voluntary return and restitution of property, the needs of the displaced were not sufficiently covered. The crux of the problem lay in failure to apply existing norms and lack of resolve to implement them. As the promoter and guardian of international humanitarian law, ICRC called upon all belligerents to assume their responsibilities to the full and also upon the community of States, which had undertaken to ensure respect for the Geneva Conventions and their Additional Protocols. It was

imperative for humanitarian action to be taken in a coordinated manner. Not only must the various humanitarian agencies working in the emergency phase agree among themselves on the best way to cover needs, they must also ensure that links were maintained with rehabilitation and development organizations. In its emergency operations the ICRC already endeavoured to help civilians regain as much self-sufficiency as possible. The broad debate on humanitarian coordination should not obscure the fact that concerted efforts were required first and foremost in the field, that they should be based on the simplest and least bureaucratic structures possible, that they must take into consideration the specific role and mandate of each organization and that they should strive to achieve complementarity.

The meeting rose at 6.10 p.m.

UN

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/AC.96/SR.513
27 December 1996

ENGLISH
Original: FRENCH

EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-seventh session

SUMMARY RECORD OF THE 513th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 10 October 1996, at 10 a.m.

Chairman: Mr. MCHUMO (United Republic of Tanzania)

later: Mr. SKOGMO (Norway)

CONTENTS

ANNUAL THEME: THE PURSUIT AND IMPLEMENTATION OF SOLUTIONS (continued)

REPORTS ON THE WORK OF THE STANDING COMMITTEE ON INTERNATIONAL PROTECTION AND PROGRAMME, ADMINISTRATIVE AND FINANCIAL MATTERS

CONSIDERATION AND ADOPTION OF PROGRAMME BUDGETS

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Executive Committee will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.96-03026 (E)

The meeting was called to order at 10.25 a.m.

ANNUAL THEME: THE PURSUIT AND IMPLEMENTATION OF SOLUTIONS (agenda item 4) (continued) (A/AC.96/863, A/AC.96/867 and A/AC.96/872)

1. Mr. von BERNUTH (International Council of Voluntary Agencies) said that the NGO community took note with satisfaction of the statement in a UNHCR handbook that UNHCR, Governments and NGOs had a joint role to play in the voluntary repatriation of refugees. What was lacking was a clear definition of that joint role. The NGO community therefore proposed that a mechanism should be established to facilitate access by NGOs to the Standing Committee, that official documents of the Executive Committee should be made available to NGOs before meetings and that there should be a mechanism whereby NGO documents were distributed in advance to the members of the Executive Committee. The NGO community appreciated the High Commissioner's rationalization efforts and would like machinery for regular consultations between NGOs and UNHCR to be set up.

2. UNHCR was unique among all international humanitarian organizations on account of its protection responsibilities. At present, of course, it faced unprecedented problems throughout the world, but the greatest challenge was to combine its protection function with emergency relief that required enormous resources. Since the end of the cold war, mounting pressure had jeopardized the protection principle. However, UNHCR had to continue to demonstrate its commitment to the protection of refugees for as long as the international community entrusted it with that responsibility. NGOs were deeply concerned about the statement made by the United States on 7 October that the principle of non-refoulement was only a "humanitarian principle" and considered it regrettable that the importance of the legal obligation which prohibited the refoulement of a refugee was being minimized.

3. With regard to coordination, the NGO community reaffirmed the importance it attached to the role of the Emergency Relief Coordinator and the Inter-Agency Standing Committee. That mechanism made for enhanced cooperation and coordination within the United Nations system and between the United Nations and NGOs and made it possible to determine what type of coordination was best suited to each new complex emergency situation.

4. The NGO community welcomed the choice of the topic of "The pursuit and implementation of durable solutions" as the theme of the forty-seventh session of the Executive Committee. In that connection, a great deal could be learned from the Rwandan refugee situation. It was generally agreed that the situation in the camps was unbearable and that security and stability in the region were being threatened. UNHCR, the international community and NGOs therefore had to work to establish an atmosphere of confidence that would promote voluntary repatriation. The situation in Rwanda had to be closely monitored and donors had to be encouraged to support initiatives relating to it.

5. In conclusion, he paid tribute to the High Commissioner, who was giving hope, through her untiring efforts and leadership, to the poor, the uprooted

and those crushed by hatred and meanness of every kind. The majority of NGOs were committed to working with her to end violence and make the world a better place.

6. Mr. SCHATZER (International Organization for Migration) said that the theme of the forty-seventh session of the Executive Committee offered an opportunity to highlight cooperation between UNHCR and IOM. One of the cornerstones of such cooperation was refugee resettlement and IOM shared the High Commissioner's concern about the diminishing availability of resettlement options for persons in need of what was often the only viable solution. The second area of cooperation, voluntary repatriation, was rightly regarded as the most desirable response. In the Great Lakes region, for example, IOM managed a joint fleet of vehicles to transport refugees, with UNHCR providing a share of the funding. At the same time, IOM was helping the Rwandan authorities to replace qualified manpower lost to genocide and war. Such programmes could be sustained only with the consent of all groups involved, host and countries of origin, individual migrants and donors. There was broad support for the concept of an early link between humanitarian relief, rehabilitation measures and longer term development.

7. The third focus of cooperation was technical. Assisting Governments and non-governmental organizations to develop their capacities to deal with migration issues involved human rights, refugee legislation, information management, integration measures and assisted voluntary return. The fourth area of common interest was of particular concern to IOM, namely, the growing number of irregular migrants, including asylum-seekers whose quest for asylum, residence or immigration had failed. For such persons, return was frequently the alternative to detention or continued illegality. IOM voluntary return programmes were a humane and cost-effective solution that helped preserve a viable asylum system.

8. In a draft memorandum of understanding, the two organizations recognized the importance of ad hoc consultations on activities intended for persons who might be of direct or indirect concern to either of them. Such mechanisms were increasingly being used and UNHCR's involvement in status determination and the training of host government staff was a valuable contribution to IOM's programmes for the return of irregular migrants. The many new challenges that the two organizations were facing, both jointly and individually, required a large degree of innovation in planning and execution in order to help the millions of individuals looking to the international community for assistance, protection and political solutions.

9. Mrs. AHLUWALIA (International Federation of Red Cross and Red Crescent Societies) welcomed the fact that, in her introductory statement, the High Commissioner had drawn attention to issues such as the erosion of international protection standards, the need for real burden-sharing and the danger of the politicization of humanitarian tasks. The International Federation was concerned that the principle of voluntary repatriation should be upheld, even in situations in which political and financial convenience would create a temptation to make exceptions to the rule of non-refoulement. Durable solutions to refugee problems began with efforts to avoid situations that caused individuals and peoples to leave their homes, continued with

preparations for return when conditions were appropriate and included the provision of assistance after their return, local integration or resettlement.

10. The International Federation was most concerned about the situation in the Great Lakes region and deplored the death of three of its colleagues in Zaire, as well as of ICRC colleagues in Burundi. It welcomed the efforts being made by UNHCR and Governments in the region to find a political solution to the problem. That involved risks, but the risks could be minimized if the possible consequences were carefully analysed and prior consultations were held with aid agencies and, if possible, with beneficiaries.

11. Most of the beneficiaries of the International Federation's assistance in the Great Lakes region were women and children, not genocide criminals. Measures did, of course, have to be taken to separate the criminal elements from the rest of the refugees, but that must be done by law enforcement agencies of the host country, in a disciplined manner, respecting the basic rights of the refugees. It must be understood that agencies such as her own could not be part of that process.

12. With regard to the pursuit of durable solutions, the International Federation considered that, in the interest of the beneficiaries, repatriation must be voluntary and carried out in dignity. Despite the many positive steps taken by the Rwandan Government, the situation in Rwanda was still not normal and the country desperately needed assistance to ensure the refugees' return. In cooperation with the Rwanda Red Cross, the International Federation was prepared to extend assistance to the refugees who chose to return. In that connection, it undertook to continue and promote operational cooperation with the United Nations and, in particular, with UNHCR, in a spirit of complementarity and mutual respect.

13. The causes of refugee movements and population displacements were usually, if not always, political and the solution therefore had to come from political processes, which must, however, be kept distinct from humanitarian actions in order to alleviate immediate suffering. Asylum, assistance and protection were humanitarian, not political. The international community had to adopt a more comprehensive approach to today's humanitarian crises and that approach had to encompass not only humanitarian considerations, but also concern for justice, security and political and economic interests.

14. Mr. GIORGIS (Observer for Eritrea), speaking in exercise of the right of reply, expressed his gratitude to the Sudanese people for the unlimited hospitality extended to the Eritrean refugees. Eritrea had never denied that there were cultural, historical and personal links between the two countries, whatever the policies followed by their Governments. However, Eritrea was requesting the Government of the Sudan to respect the inalienable rights of the refugees and, in accordance with the international humanitarian principle, to guarantee their safety and encourage the exercise of their right to voluntary repatriation. For over three years, the Sudan had been urging the conclusion of tripartite agreements. Since the negotiations had failed, Eritrea had signed a memorandum of understanding separately with UNHCR, entrusting it with the task of carrying out its humanitarian mandate to protect refugees and facilitate their return and reintegration. A tripartite agreement must not be held up as dogma: there were other mechanisms, such as

a two-party agreement with UNHCR. Eritrea hoped that the Sudan would abide by that decision and allow the voluntary return of the refugees to resume. If, as the representative of the Sudan claimed, some refugees did not want to be repatriated, Eritrea was of the opinion that their wishes should be respected. Eritrea thanked UNHCR for the efforts it was making to remove the remaining obstacles and assured it that it was determined to cooperate with it to find durable solutions to the Eritrean refugee problem.

15. Mr. TABESH (Observer for the Islamic Republic of Iran), speaking in exercise of the right of reply, said that the allegations the observer for Iraq had made the previous day were groundless. Iraqi refugees had never had confidence in the many public amnesties decreed by the Iraqi Government after each wave of repression against the Kurds in the north and the Shiites in the south. Iraq, which was distorting the truth about the main causes of the new influx of Iraqi Kurdish refugees, was trying to make the Islamic Republic of Iran responsible. Following its defeat after the invasion of Kuwait, however, Iraq had been unable to control its borders. Terrorist acts had thus been carried out from inside Iraqi territory. In reply, the Iranian army had conducted limited operations against the terrorists' headquarters. Those operations, of which the United Nations Security Council had been informed, could not serve as a pretext for Iraq's elimination of the Kurds. The incident that Iraq was pointing to as the reason for its military operations against the Kurds had taken place one month earlier. In conclusion, he recalled that his country undertook to respect Iraq's sovereignty and territorial integrity and to relieve the suffering of Iraqi refugees.

16. Mr. MESSAOUI (Algeria), speaking in exercise of the right of reply, said that his country was too aware of its responsibilities in the region to make the question of the Saharan refugees a topic of sterile polemical debate. It nevertheless pointed out that the Saharan population which had found asylum in Algeria had been displaced from the territory of Western Sahara as a result of war, following the delay in the referendum scheduled by the Spanish Occupying Power in 1974 and the unlawful occupation of the territory by other countries in the region. The population of Western Sahara, led by the Polisario Front, had stood up to the new forces of occupation. There had thus been a mass exodus of Saharans to Mauritania and Algeria and the Saharans who had found exile in Algeria had been recognized by the international community as refugees and benefited as such from the 1951 Convention relating to the Status of Refugees.

17. His delegation was not alone in considering that those refugees were an integral part of the Saharan people, whose right to self-determination still had not been granted. The entire international community, including Morocco and the Polisario Front had so agreed by consensus as of 1990. In various resolutions, the United Nations General Assembly had stressed the importance and value of direct contacts between the Kingdom of Morocco and Polisario and such contacts had been held at a high level in Geneva. Ever mindful of its responsibilities, Algeria was helping to relieve the suffering of the Saharan refugees in cooperation with the competent United Nations bodies.

18. Mrs. OKO (Nigeria), speaking in exercise of the right of reply, said that her delegation had been astounded to hear the observer for Benin refer to Nigerian Ogoni refugees. The Nigerian Government had had no knowledge of

them, since Nigeria was not a country in which refugees originated. Rather, it was giving protection and assistance to refugees from Africa and elsewhere and even taking part in efforts to find a regional solution to refugee problems in its region. The problem of the Ogonis was that they were trying to get Shell BP to build infrastructures in their state and compensate them for the land they had lost. At present, Shell BP was building roads and schools and giving Ogoni students scholarships. Moreover, the Nigerian Government had taken steps to ensure that the Ogoni state had adequate infrastructure. The Nigerian Government kept the door open to all Nigerians who returned to the country.

19. Mr. TIKRITI (Observer for Iraq), speaking in exercise of the right of reply, said it was regrettable that Iran's policy in the region was to create conditions to enable it to influence the regional and international situation by inflicting suffering on innocent citizens. Iran's intervention in northern Iraq was proof that it was trying to establish a stronghold in that region in order to strengthen its presence in southern Lebanon. Iran was now helping to destabilize the region and create a situation that was full of danger and might increase the flow of refugees in violation of the relevant international instruments to which it was a party.

20. Mr. TABESH (Iran), speaking in exercise of the right of reply, said it was deplorable that Iraq persistently failed to learn anything from history and was not even able to recognize its own national interests. In the past decade, it had continued to commit aggression, repression and errors of judgement and to blame others instead of solving its own problems.

21. Mr. BENJELLOUN-TOUIMI (Observer for Morocco), speaking in exercise of the right of reply, pointed out, without naming names, that no one could fail to abide by his commitments and could not prevent UNHCR from carrying out the task entrusted to it. It would have been fortunate if one of the persons who had just exercised his right of reply had announced an agreement on the international official who would be in charge of the UNHCR branch office that had just opened in Tindouf. The other matters were political and had to be settled by the appropriate bodies.

22. Mr. TIKRITI (Observer for Iraq), speaking in exercise of the right of reply, said that Iran was obviously trying to evade the issues. Its policy was to interfere in the internal affairs of others, as could be seen in southern Turkey, northern Iraq and other Gulf countries. Iran had to put an end to that policy of aggression against countries which were, moreover, entirely capable of taking care of their own interests.

23. The CHAIRMAN, summing up the discussion on agenda item 4, said that the question of the pursuit and implementation of durable solutions to refugee problems had been analysed in depth and had given rise to a number of proposals.

24. It had thus become clear that the causes of the refugee problem were to be found increasingly in conflicts between groups rather than between States. Several delegations had expressed concern that the size and complexity of the refugee situation in the world had led donor States to be less generous in their contributions. Attention had also been drawn to the burden that a

massive refugee presence placed on developing countries which gave them asylum, thereby overloading their social and economic machinery and exercising heavy pressure on their environment, so much so that several delegations had requested that that question should be included in the agenda of the Standing Committee. Several developing countries hosting a large number of former refugees had drawn attention to the problems they faced in trying to meet the needs of those populations in a situation characterized by meagre resources and, in some cases, a devastated economy. In the general view, international solidarity was necessary if prevention was to be effective and solutions just and durable.

25. It had also been agreed that voluntary repatriation was the preferred solution. Repatriation was, moreover, regarded as an operation that did not involve only having population groups cross borders, but also creating the necessary conditions for the development of the country of origin. The follow up to the returnees' situation could help to establish a climate of confidence and facilitate the process of reconciliation.

26. The general opinion had been that UNHCR played an important role in facilitating the resettlement of refugees because it worked in constant cooperation with agencies that had specific development and human rights mandates. In that connection, it had been reaffirmed that local integration was one of the most important of all the durable solutions, although a number of developing countries had made it known that it was difficult for them to consider that solution. Several delegations had stressed the need for the establishment of international cooperation and solidarity to strengthen the capacity of host countries. That matter should be given more in-depth consideration by the Standing Committee in 1997.

27. Several delegations had stressed that third country resettlement was a valid solution that had to be strengthened. The possibilities of regional resettlement through appropriate international support should be considered.

28. Several delegations had drawn attention to the link between prevention and solutions and, in that regard, UNHCR played a key role in early warning, training and the strengthening of institutions. It should nevertheless try to avoid duplication with other organizations.

29. Several delegations had welcomed the convening of the CIS Conference and the resulting Plan of Action, regarded as an instrument of both prevention and solutions. It had nevertheless been stressed that comprehensive approaches had to be accompanied by ambitious political initiatives and conflict settlement efforts, but political will lay at the heart of any durable solution.

30. The tense situation in the Great Lakes region, which could not be solved only by humanitarian measures, had been discussed in depth. Several delegations had made proposals that might be considered later in greater detail.

31. The work carried out in accordance with Economic and Social Council resolution 1995/56 had also been welcomed and the key role of the Standing Committee had been emphasized.

Draft conclusion on the CIS Conference (DC/CN.1, distributed in the meeting room in English only)

32. The CHAIRMAN invited the participants to adopt by consensus the draft conclusion concerning the CIS Conference proposed under agenda item 4.

33. The draft conclusion on the CIS Conference was adopted by consensus.

REPORTS ON THE WORK OF THE STANDING COMMITTEE ON INTERNATIONAL PROTECTION AND PROGRAMME, ADMINISTRATIVE AND FINANCIAL MATTERS (agenda item 5) (A/AC.96/861, 862, 863, 871, 873, 874 and 875)

34. Mr. Skogmo (Norway) took the Chair.

35. The CHAIRMAN invited delegations to consider the report on the work of the Standing Committee (A/AC.96/875) and the Committee's reports on the work of its first meeting (A/AC.96/861), its second meeting (A/AC.96/862), its third meeting (A/AC.96/873) and its fourth meeting (A/AC.96/874). The Executive Committee would also review action taken on decisions of its forty-sixth session (A/AC.96/871) and three conclusions based on the work of the Standing Committee: a general conclusion on international protection, a conclusion on comprehensive and regional approaches and a conclusion on the implementation of Economic and Social Council resolution 1995/56.

36. The Standing Committee had held four meetings in 1996, in January, April, June and September-October. Its work had related to a number of recurrent items, namely, in-depth reviews of UNHCR programmes in different regions, regular updates on programme and funding issues and the strengthening of emergency humanitarian assistance of the United Nations in accordance with Economic and Social Council resolution 1995/56. The conclusion on those discussions was being submitted.

37. In accordance with the decision on the working methods of the Executive Committee, the Standing Committee had considered questions relating to international protection at its June meeting. A conclusion on the consideration of those questions was also being submitted.

38. At its meetings, the Standing Committee had also considered matters relating to internal audit and oversight, as well as questions relating to evaluation and, in particular, the study of UNHCR action on the emergency situation in Rwanda. The Standing Committee had reviewed the question of overhead costs of NGO implementing partners. At its June meeting, it had set its contribution to such costs at 5 per cent.

39. With regard to management and administration questions, the Standing Committee had been kept regularly informed, by means of oral reports, of the progress being made on the Project Delphi Plan of Action. At its last meeting, it had given preliminary consideration to the report of the Administrative Committee on Administrative and Budget Questions (ACABQ).

40. The Standing Committee had also adopted several decisions submitted orally on questions included in its programme of work. The text of those

decisions was reproduced in the annexes to the reports on its various meetings. The Standing Committee had also begun to prepare draft decisions and conclusions to be submitted at the current session of the Executive Committee. He invited delegations to comment on the report on the work of the Standing Committee.

41. Mr. PALTHE (Netherlands), drawing attention, as he had already done at the June meeting of the Standing Committee, to the importance of the reception of persons in need of international protection in view of the ultimate objective of the return of refugees and displaced persons to their countries of origin, said that temporary protection and resettlement were viable, though additional, solutions. Recalling that the Netherlands admitted over 500 refugees from various regions for resettlement on a yearly basis, he urged other States to consider resettling persons in need of protection for whom no other solutions were left.

42. With regard to the return of persons not in need of international protection, the Netherlands had developed an integrated return policy whose key element was that asylum seekers had to return to their countries of origin when it had been determined that they had no right to remain in the Netherlands. At present, the Netherlands Government was investigating development programmes designed to encourage refugees to choose the desirable option of voluntary repatriation.

43. Voluntary repatriation should, however, not be ruled out where a safe return was possible. UNHCR could enhance its repatriation role by initiating and carrying out integrated programmes incorporating reconciliation, reintegration and reconstruction with the aim of preventing conflicts from breaking out again. That could be done in close cooperation with other international organizations such as IOM, with countries of reception and, in particular, with countries of origin.

44. The Netherlands Minister for Development Cooperation considered that the policy of usually not granting development assistance to countries at war must be revised because there were often peaceful areas to which refugees or displaced persons could return. More could be done in connection with development programmes for those regions to attract and assist refugees. That meant that, where a minimal degree of security and stability existed, the international community could assist the recipient country by going beyond mere humanitarian assistance.

45. He welcomed the fact that UNHCR was emphasizing preventive action, as the High Commissioner had said in her opening statement to the Executive Committee.

46. Mr. BRUUN (Denmark), referring to the question of temporary protection and UNHCR's role with regard to the return of persons not in need of international protection, said that the crisis in the former Yugoslavia had given rise to a great deal of discussion on lessons learned and, in particular, on the use of the new instrument of "temporary protection", about which there appeared to be some confusion. Unambiguous answers could not be given to questions such as when that regime should be instituted, who should benefit from it, which rights should be given to persons in that category in

the host country and under what conditions the regime should be lifted. Denmark therefore welcomed the fact that UNHCR had included that topic in the informal consultations on the provision of international protection to all who needed it and was ready to take part in those consultations.

47. Like other western countries, Denmark had had enormous problems in recent years in returning persons who had been determined, following a thorough procedure, not to be in need of international protection. In many cases, the authorities had been left with no option but to grant some kind of residence permit to those persons. That measure had had the effect of encouraging persons with no justified claim to refugee status to leave their countries in order to apply for asylum. That problem might overload established asylum mechanisms and undermine the credibility of the international refugee regime. It was therefore in the interest of all Governments which had signed and implemented the 1951 Convention and the 1967 Protocol, as well as of UNHCR, to ensure that international protection was provided to all who needed it and that persons determined, as a result of thorough and fair procedures, not to be in need of international protection were returned to their countries of origin. It was to be hoped that, in its final conclusions on the forty-seventh session, the Executive Committee would encourage continued consultations, on UNHCR's initiative, on that very important issue. Such consultations should lead to the establishment of a mechanism by which Governments, in cooperation with UNHCR and/or other international organizations, would be able fully to implement not only decisions on acceptance, but also decisions on rejection, ensuring to the greatest extent possible that such cases of return could take place in dignity and safety.

48. Mr. EKBLOM (Finland), endorsing the statement made on behalf of the European Union, said that voluntary repatriation was the preferred durable solution to refugee problems. Like other countries, Finland was of the opinion that the international community should assist countries of origin in their efforts to create adequate conditions for the return of refugees. In some situations, local integration was another option, a good example of which was the Mexican Government's reaction to the problem of Guatemalan refugees.

49. For Finland, resettlement was an alternative. Together with nine other States, it placed an annual quota for resettlement purposes at the High Commissioner's disposal. It welcomed the consultation process on resettlement issues that UNHCR had initiated last year and considered that more Governments should take part in those consultations to ensure better burden-sharing.

50. Prevention was the most durable solution to the refugee problem. Dealing early enough with the causes of emergency situations could offer the basis for a settlement. To that end, UNHCR must actively monitor the political situation in certain regions and maintain close cooperation with other actors in the international community. In that connection, he welcomed the High Commissioner's initiative of dealing with the problems of population displacement in the CIS countries. The CIS Conference organized by the High Commissioner in May had adopted a programme of action to be implemented by UNHCR and IOM, which were to be commended. Finland also welcomed the adoption by consensus at the current meeting of conclusions on the work of that Conference. On the basis of the programme of action, UNHCR and IOM had made a

joint appeal covering some programme elements of their joint operational strategy in three CIS countries for the rest of the year and it should be placed on record that the authorities of his country were preparing a favourable response to that appeal. In addition, through bilateral and multilateral channels, Finland had for some time been promoting institution and capacity building in the CIS region and in the Baltic countries.

51. He reiterated Finland's full support for the work being done by UNHCR to provide international protection to refugees and to assist Governments in their search for permanent solutions.

52. Mr. NORBERG (Sweden), referring to the draft conclusions on international protection, said that four elements were of particular importance to his Government. In the first place, persons seeking safety abroad should not be rejected at borders before it had been properly determined that they were not in danger.

53. Secondly, refugees, internally displaced and other persons in need of security should all have access to international protection and humanitarian assistance without discrimination. Sweden welcomed the fact that UNHCR had initiated consultations on the provision of international protection to all who needed it with a view to developing guiding principles and recommendations on topics such as temporary protection and the situation of internally displaced and other persons of concern to UNHCR.

54. Thirdly, with regard to protection in connection with comprehensive and regional approaches, UNHCR's mandate and operational role must be kept clear and unambiguous. There was a need for a situation-specific analysis which would determine the scope, priorities and duration of UNHCR activities. That analysis would be facilitated thanks to the changes made by the High Commissioner as part of Project Delphi. The protection issues confronting UNHCR would not be "integrated" into assistance activities to the extent that they would disappear under the label of "programme delivery costs". They had an objective which called for different means in different contexts. In that connection, his Government welcomed the fact that the draft conclusion on comprehensive and regional approaches strongly emphasized a "protection-based" strategy with close links to human rights and the rule of law.

55. Fourthly, with regard to protection under resettlement programmes, Sweden would maintain its resettlement quota. However, as several speakers had already said, more countries had to authorize resettlement. New avenues had to be explored in order to maximize resettlement opportunities in a cost-effective and safe manner. Sweden welcomed UNHCR's commitment to exploring regional resettlement solutions with due international support. It was ready to support UNHCR's efforts in that direction over and above its contribution to the General and Special Programmes.

56. Mrs. MATTEI (France) said that, in her delegation's opinion, UNHCR had an important role to play in the repatriation of refugees and displaced persons, as well as in the return of persons from the former Yugoslavia, but it must not play the main role in the case of persons who had not officially obtained refugee status, since responsibility in that regard lay with the States concerned.

57. Mr. SINGH (India) said that, like UNHCR, he considered that voluntary repatriation, together with effective settlement and local reintegration policies, was one of the durable solutions best suited to the refugee problem. In that connection, the question of ethnic and cultural origin must not necessarily play a predominant role in the decisions adopted. Multiculturalism and pluralism were widely accepted. Decisions must therefore be based primarily on the financial resources of host countries and the international assistance they received.

58. His delegation was of the opinion that, as far as resettlement was concerned, countries of first asylum must respect the rules of international protection, but it must also be ensured that responsibilities were shared fairly at the international level.

59. Mrs. OKO (Nigeria) said that the adoption of comprehensive approaches, including preventive measures and conflict settlement, would be the best durable solution to refugee problems. That was particularly true on the African continent, where conflicts were closely linked to political, ethnic, social and economic factors. UNHCR and the competent agencies, Governments and regional and subregional bodies had to cooperate closely to establish early warning systems in areas where conflicts might break out.

60. The CHAIRMAN drew attention to the draft conclusions on international protection, comprehensive approaches to protection and Economic and Social Council resolution 1995/56, on which the Executive Committee had to take decisions. He invited the Chairman of the UNHCR Staff Council to make a statement.

61. Mr. ISHAK (Chairman of the UNHCR Staff Council) said it was encouraging that the members of the Executive Committee were fully aware of the working conditions of his colleagues in the field. In recent years, quite a large number of them had fallen seriously ill, had been injured or had been disabled in the exercise of their functions. Many medical evacuations had had to be carried out in some duty stations, while hundreds of officials continued to work in remote regions in extremely difficult and dangerous conditions.

62. As examples of the concerns of the Staff Council about the root causes of those problems, he said that the salaries of local staff of the Bujumbura office had not been paid and that the local staff in Uvira (Zaire) were concerned that the security plan for their sub-office did not take adequate account of the special topographical and security conditions in the area. Their request that they should be allowed to take part in the preparation of a security plan which would take their concerns into account was currently being examined. In May 1996, a UNHCR driver had been shot dead after he had picked up a courier at the airport who had been under contract to UNHCR and had been carrying a large amount of cash belonging to UNHCR. An investigation was under way.

63. Bearing in mind that UNHCR staff served in countries of which 53 were categorized as high-risk areas, the root causes of those problems had to be identified and the solutions found. The Staff Council welcomed the efforts being made by UNHCR and, in particular, the fact that there had been significant improvements in in-house capacity to deal with staff security and

safety issues. However, the root causes of those problems might well be beyond the ability of any one party to identify or resolve. Some problems arose as a result of management decisions adopted without taking account of staff views and some basic rules.

64. A fair opportunity should therefore be given to UNHCR staff to take part in identifying and solving any human resources problems it faced. That right to effective participation was a fundamental staff right provided for in the United Nations Staff Regulations. In that regard, the Staff Council had identified at least three areas where UNHCR staff was at a disadvantage compared to the staff of the rest of the United Nations system. In recent months, it had therefore submitted proposals to the Management aimed at removing those inequalities, which mainly affected field staff. It had proposed the establishment of a staff-management consultative committee, which would, for the first time, give field staff the legitimate right to be properly consulted and to take part in the decision-making process, as well as in identifying and solving problems of concern to it. The Management was currently studying that proposal.

65. The Staff Council had submitted another proposal to the Management designed to enable field staff or the Staff Council to participate effectively in staff work both within UNHCR and at the common system level. That proposal was also being studied.

66. The Staff Council had submitted a proposal to the Secretary-General that the staff of UNHCR should be included in the consultative process before any amendment was made to the Staff Rules or any other texts directly affecting the staff of UNHCR. That proposal had been considered favourably by the Staff Management Coordinating Committee (SMCC) and steps had been taken to give immediate effect to it.

67. The Staff Council believed that the implementation of clear policies on staff representation both at Headquarters and in the field was fully in keeping with the efforts being made by the Organization to enhance efficiency and improve management methods. It also appreciated the opportunity to address the Executive Committee on behalf of all the staff. However, the amount of time it was allowed did not enable it to outline even in general terms the main problems encountered or to convey the staff's views on possible solutions. It therefore appealed to the Executive Committee to consider the merits for UNHCR of the adoption of a resolution such as the one recently adopted by the ITU governing body and providing for the establishment of a tripartite consultative group on human resources management, to be composed of members appointed by the ITU governing body, representatives of the ITU Management and representatives of the staff appointed by the ITU Staff Council.

68. When the Project Delphi had been launched in late 1995, the Staff Council had not been consulted on the composition of the Change Management Group, which had been entrusted with the task. Following the submission of the CMG report, the Staff Council had again not been consulted on the new structure of headquarters or given any information on the 250 posts which were to be cut or redeployed. The Staff Council was also concerned about imbalances in the senior management structure and the lack of information on

further restructuring procedures. It therefore welcomed the assurances given by the High Commissioner in her opening statement that the transitional measures would be implemented in close consultation with the Staff Council.

69. The Staff Council intended to do everything in its power so that the exercise would be carried out in accordance with the Staff Rules and Regulations. Since efforts should focus on solutions, the Staff Council was of the opinion that UNHCR needed another kind of human resources policy. It should draw a larger number of persons from countries of origin and countries of asylum and ceilings on staffing levels should not be set in advance, but should be based on a thorough needs assessment, starting at the field level and ending at headquarters, not the other way around. It should also take account of the experience of other field-oriented organizations, such as UNICEF, which had recently undertaken a similar efficiency review.

CONSIDERATION AND ADOPTION OF PROGRAMME BUDGETS (agenda item 6)

70. Mr. WALZER (Deputy High Commissioner) said that that High Commissioner was requesting the Executive Committee to endorse the revised 1996 General Programmes budget, the total amount of which remained unchanged at $445,327,000, as approved at the forty-sixth session. Taking all sources of funds together, including Special Programmes, it was now estimated that 1996 expenditure would amount to $1,358,200,000, as against $1.17 billion in 1995. For 1997, the General Programmes target was $452,612,000. Tentative projections for 1997 Special Programmes, which were as always subject to updating as needs for the following year became more certain, amounted to some $690.5 million. Thus, taking all programmes together, projected needs for 1997 now stood at just over $1.1 billion.

71. With such substantial resource requirements ahead of it, UNHCR, which depended on voluntary contributions, remained very conscious of the fact that a small number of donors carried the burden of providing it with the cash resources it needed. It was, of course, very grateful for that continued support, but it assured delegations that it was sparing no effort to expand the donor base by looking both to Governments and to other sources and it hoped for a measure of success in 1997.

72. The effective and efficient use of resources was at the centre of the High Commissioner's concerns. It was thus not surprising that, as part of Project Delphi, the redesign of the operations management system, which provided the framework for implementing protection and assistance activities, was receiving priority attention. Within that framework, UNHCR would focus on management needs at the delivery point, its operating arrangements with implementing partners and improved reporting both in financial terms and with regard to the impact of the measures adopted. Following up on comments by ACABQ and some States, it would also look at the question of programme delivery and administrative support costs, including a further review for clearer definitions of those costs.

73. With regard to agenda item 7, the Executive Committee had before it the annual accounts, the report of the Board of Auditors and a report on internal oversight. The accounts had been certified by the External Auditors and there had been progress in the implementation of the Auditors' recommendations.

Actually, one of the results of the new working methods of the Executive Committee had been the sustained review of external audit recommendations and their follow-up by the Standing Committee at the meetings it had held throughout the year. Such reviews would continue in 1997. With the Board of Auditors, UNHCR would pursue further the question of audit certification for implementing partners, which had been brought forward from the most recent deliberations of the Standing Committee.

74. UNHCR was entirely in favour of internal oversight, which was an area that had to be constantly improved and on which it was working. The findings and recommendations of the Inspection and Evaluation Service were having an impact on many aspects of management and operations, but, in addition, the internal audit function had to be enhanced and extended to implementing partners. For audit to serve as a management tool, it had to be more frequent and responsive to operational needs.

75. With regard to the impact of Project Delphi on headquarters staff, he indicated that there were plans to cut between 200 and 250 posts over a two-year period. Some cuts would result from transfers to field offices or savings made by means of outsourcing. Arbitrary cuts would not be made, but there would be a streamlining process, which was only just beginning, and that explained why he could not provide more detailed information on it at the present time.

76. Mr. MORRIS (Director, Division of Programmes and Operational Support) said that, as the Deputy High Commissioner has pointed out, no change was being proposed to the General Programmes total. A revised breakdown of that amount was contained in table II.4 of document A/AC.96/865. Addendum 3 to that document contained an update on some components, including allocations to the Programme Reserve, the Emergency Fund and the Voluntary Repatriation Fund, as well as tables replacing those contained in document A/AC.96/865 and describing the situation as at 1 September 1996. New amendments had been made in the meantime, even after the update introduced orally in the Standing Committee during the past week. The Emergency Fund now had about $12.8 million, the Voluntary Repatriation Fund, $7.6 million and the Programme Reserve, $8 million. The projections for Special Programmes were updated in document A/AC.96/865/Add.3 of 4 September 1996. Because of the nature of those Programmes, their needs were under constant review.

77. The proposals before the Executive Committee for 1997 amounted to $452,612,000. The amount earmarked for programme activities was $370.5 million and for the Programme Reserve, $37 million, or 10 per cent of programme activities. The latter amount included a special component to take account of exchange losses, as well as the usual amount of $25 million for the Emergency Fund and a proposed amount under the Voluntary Repatriation Fund totalling $20 million. The initial projections for Special Programmes had temporarily been set at $690 million, the breakdown of which was shown in table II.8 of document A/AC.96/865. Those projections would be considered in the coming weeks and an update would be submitted to the Standing Committee at its first meeting in 1997.

78. Mr. BRUUN (Denmark) said that his country fully supported the proposed programme budget for 1997. The proposed General Programmes target was

ambitious, but realistic. UNHCR had to try to broaden its donor base. The fact that 10 donors were providing more than 90 per cent of UNHCR's funding made the Office very vulnerable to sudden cuts in contributions. A broadening of the donor base would increase the stability and predictability of the income side of UNHCR's budget. Denmark had always been a major donor to UNHCR, but it could not guarantee that its future contributions would match its record 1996 level. The recently adopted Danish policy guidelines for all of the Danish Government's multilateral assistance made the final level of contributions dependent on a continuous and in-depth assessment of UNHCR's performance, responsiveness and accountability. Denmark placed particular emphasis on the need for strong and efficient oversight mechanisms. The ACABQ report which had been submitted to the Standing Committee was the most important governance and oversight tool of the governing bodies. One issue dealt with in the report, namely, the formulation of precise and standardized definitions of the various categories of costs, was of particular importance because standardized definitions would make comparisons between humanitarian organizations easier.

79. Denmark fully supported Project Delphi, which would make UNHCR more efficient, streamlined and adaptable. It urged UNHCR to give careful consideration to the possibility of the extensive outsourcing of functions and services that it had so far provided itself. The private sector and, in some cases, NGOs would seem to be natural and probably also very competitive providers of such services. The delegation of authority to the field and outsourcing must, however, not be done at the expense of oversight and accountability. Nor should decentralization result in the weakening of the central functions of headquarters, particularly standard setting in the field of international protection and reporting to the governing bodies.

80. Mr. HILDAN (Norway) said that he joined the representative of Denmark in supporting the proposed 1997 programme. Norway would also continue to be a major UNHCR donor, but could not provide details of the total amount of its contribution for 1997 at the current stage. He urged the donor community to respond generously to UNHCR's funding needs and also encouraged UNHCR not to spare any efforts to increase the number of its donors. UNHCR had embarked on an ambitious restructuring programme, Project Delphi, which might well set an example for United Nations agencies and organizations. Norway fully supported the objective of that process and expected it to have the result of making UNHCR even more effective and its functioning more streamlined and suited to the new challenges it had to face. Caution was nevertheless in order because, as was known, the restructuring process could disrupt the concentration of the staff and give rise to fears, if not a lack of motivation. His delegation had no doubt that the interests of the staff at all levels would be taken into account as appropriate during that process.

81. Mr. MORAND (Switzerland) said that his delegation had taken note of the documents submitted by the secretariat on UNHCR's 1995-1997 general activities and thanked the secretariat for their quality, precision and conciseness. Switzerland supported the strategies adopted by UNHCR and wished to highlight some important points for the year to come.

82. First of all, there had to be coordination between partners and that was the aim of the follow-up to Economic and Social Council resolution 1995/56.

The activities that followed on emergency humanitarian action were the main ones that had to be coordinated. Immediately after emergency action was taken, there had to be a leveling off phase so that the social and economic fabric affected could be revitalized by means of specific action. The persons involved in the emergency phase and in the revitalization phase had to meet early enough to be able to look to the future and work with development partners on the harmonious implementation by the latter of long-term development activities. Switzerland urged UNHCR to continue to engage in such dialogue, as it was doing with UNDP. Governments and all other partners were naturally also concerned.

83. With regard to the allocation of resources, Switzerland welcomed the fact that 43 per cent of UNHCR expenditure for 1995 had been incurred through implementing partners, over two thirds of which had been through NGOs. However, as it had already indicated at the forty-sixth session, there were still problems with UNHCR's managerial control of programmes implemented by its partners. As the recent crisis in the former Yugoslavia and the Great Lakes region had shown, moreover, a unified approach and a code of conduct to be followed by all partners had not yet been achieved. The necessary efforts had to continue to be made in those two areas.

84. In connection with the use of resources, Switzerland welcomed the Delphi initiative to enhance efficiency and adaptability and to increase operational accountability in the field. It supported the main guidelines proposed. The nominal $7 million increase in General Programmes for 1997 as compared to 1996 indicated that costs were being kept down. The provisional projection of needs under Special Programmes for 1997 showed a drop of $270 million and reflected the fact that some situations in the field had improved. Unfortunately, however, the burden of major crises for which no political solution had yet been found might affect those optimistic trends during the 1997 budget exercise.

85. There was a clear-cut link between the two areas of training and information in the context of prevention. Switzerland encouraged UNHCR to continue to expand those activities. By training its staff, its implementing partners and government staff, UNHCR would be increasing its efficiency in the field. The treatment of refugees would only improve. UNHCR should ensure that the same, standardized training was provided, particularly in all decision-making centres affected by Project Delphi. Information was also essential to UNHCR's activities because, by increasing awareness, it helped to change perceptions and behaviour. It ultimately had a role to play in ensuring respect for refugees.

86. His delegation once again confirmed that it supported UNHCR in the implementation of all of its programme activities for 1997 and that it wanted to explore possibilities of closer operational cooperation with UNHCR by making available skilled human resources.

The meeting was called to order at 12.50 p.m.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.96/SR.514
18 October 1996

Original: ENGLISH

EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-seventh session

SUMMARY RECORD OF THE 514th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 10 October 1996, at 3 p.m.

Chairman: Mr. MCHUMO (United Republic of Tanzania)

CONTENTS

REPORTS RELATING TO PROGRAMME OVERSIGHT

EXECUTIVE COMMITTEE WORKING METHODS

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Executive Committee will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.96-03014 (E)

The meeting was called to order at 3.25 p.m.

REPORTS RELATING TO PROGRAMME OVERSIGHT (agenda item 7) (A/AC.96/866, 869, 869/Add.1 and 870)

1. The CHAIRMAN said that the accounts for 1995 were found in document A/AC.96/866, the report of the Board of Auditors in document A/AC.96/869 and UNHCR's response in document A/AC.96/869/Add.1. Members also had before them a review of UNHCR's inspection and evaluation activities in document A/AC.96/870. A detailed discussion of documentation on audit and oversight matters had already been held in the Standing Committee to expedite the work of the plenary.

2. Mr. AMUNATEGUI (Director, Inspection and Evaluation Service) said that, document A/AC.96/870 having been discussed in the Standing Committee, he would confine his remarks to three aspects of internal oversight: its impact, follow-up on recommendations and a description of two management instruments designed to facilitate audits.

3. In its report of 27 September (A/AC.96/865/Add.4), the Advisory Committee on Administrative and Budgetary Questions had said that it would be useful for the overview document on UNHCR activities to indicate to what extent changes and improvements were a result of internal audit missions. The Service had attempted to do so through the regional presentations submitted to each Standing Committee. For example, the regional document submitted to the Standing Committee on 16 September 1996, reflected specific results of inspection missions to the Americas and the Caribbean, Mexico City and Asia. Other regional reports also contained brief information on the findings of internal audit missions. In response to the remarks of the Advisory Committee and some delegations on the subject, efforts would focus on making future reports more detailed. He would also point out that improvements in a programme following an inspection mission were the result of a shared effort among colleagues in the field and at headquarters with help and encouragement from the Inspector.

4. The recommendations of each inspection mission were set out in a plan of action directly approved by the High Commissioner and monitored by the Service. Such follow-up was crucial to the ultimate success of an inspection. Three months after the inspection report, the Service asked the bureaux for a report on the status of implementation, after which it organized a meeting with the programme managers to discuss content. A summary record of that meeting was then sent to the Bureau, with a copy to the High Commissioner, indicating whether the level of implementation was satisfactory. The same procedure was followed a year later, after which the matter was closed until the next inspection visit.

5. Two management instruments developed to facilitate internal audit activities had become operational: a computerized database, which included all inspection and evaluation reports and provided a means of tracking the implementation of recommendations and an Inspection Handbook, based on experience gained during inspections, in 38 countries since July 1995. The Handbook contained detailed information on the inspection function and made for a common approach.

6. Mr. BRUUN (Denmark), speaking on behalf of the Nordic countries, expressed satisfaction that the oversight issue was a recurrent item on both the Executive Committee's and Standing Committee's agendas. Oversight reports were being dealt with in a systematic manner and full use was being made of them as tools of governance.

7. The report of the Board of Auditors (A/AC.96/869) contained an abundance of well-founded observations, which would need further action by UNHCR and the Standing Committee. He noted with particular appreciation that it clearly reflected follow-up action taken by UNHCR in relation to observations in previous reports. The Nordic countries attached particular importance to the Board's recommendation on the need for precise and well-defined performance indicators for implementing partners. That raised the broader question of how and to what extent UNHCR monitored and assessed the performance of implementing partners. He would welcome a discussion of the matter in the Standing Committee, also in the light of the observations on NGO performance in the joint Rwanda evaluation published earlier in the year. He appreciated the Standing Committee's intention to look into the cluster of procurement-related audit observations and trusted that the problems raised by the auditors would be addressed in the coming year.

8. Having taken a very keen interest in the issue at the Committee's previous session, and subsequently in the Standing Committee, the Nordic countries were gratified to see that UNHCR had elaborated a set of draft guidelines for the audit of implementing partners. They hoped that a decision - based on the recommendations of the Office of Internal Oversight Services and of the External Audit - would be taken as soon as possible.

9. As the Nordic countries had been staunch supporters of the establishment of the position of Inspector of Operational Activities, they also welcomed the very thorough and comprehensive report on the inspection and evaluation activities undertaken in 1996. They urged UNHCR to increase and intensify efforts in that field, something that would have a major impact on donor confidence. They therefore appreciated UNHCR's intention to strengthen the Inspection and Evaluation Service within the framework of Project Delphi by creating an internal oversight service. The question whether such a service should include the internal audit was, however, one that the Standing Committee would need to consider further.

10. Important progress had been made in the evaluation of UNHCR's programme activities in the past year. The joint evaluation of the international response to the Rwanda emergency had been a major step towards a more systematic evaluation of humanitarian assistance. He welcomed the findings and recommendations of the evaluation, which had been discussed in the Standing Committee, and was particularly pleased that UNHCR's follow-up would be further discussed in the Standing Committee. In the light of that experience, the Nordic countries strongly recommended that more joint evaluations be conducted, in cooperation with other agencies, donors and asylum countries.

11. Mr. AMUNATEGUI (Director, Inspection and Evaluation Service) thanked the representative of Denmark for his constructive comments. The Service was in the process of strengthening oversight activities within the new Delphi concept, and meetings would be held in Geneva with representatives of the

Office of Internal Oversight Services by the end of the month. The suggestion to increase the number of evaluation studies and to include participation by donors and other agencies would be taken very seriously. The model for the Mozambique evaluation, which had included participation by donors and non-governmental organizations, was an interesting one in that regard.

12. The CHAIRMAN said that the draft decision on programme, administrative and financial matters was now being distributed. To give members time to study it, he suggested that it should be considered when the Committee came to adopt the draft report.

13. It was so decided.

EXECUTIVE COMMITTEE WORKING METHODS (agenda item 8) (A/AC.96/868)

14. The CHAIRMAN said that, as the Executive Committee concluded its first cycle of work following the new working methods introduced at its forty-sixth session (A/AC.96/860, para. 32), it needed to consider to what extent it wished to institutionalize those new methods and how it wished to follow up one item left outstanding in last year's decision: the enhanced participation of observer delegations in the plenary and in the Standing Committee.

15. Mr. HALL (Secretary of the Executive Committee) said that, if the Committee decided to adopt its new working methods on a definitive basis, it might wish to introduce a number of minor amendments to its rules of procedure. Annex II to document A/AC.96/868 contained the proposed amendments, which he briefly explained. Rules 43 bis and 43 ter regulated the situation of Governments and intergovernmental organizations admitted as Observers to meetings of the Standing Committee. In that connection, a list of applicants for observer status in the Standing Committee would be introduced under agenda item 9, on the basis of a decision taken by the Executive Committee in 1988 but not reflected in the rules of procedure so far. An amendment was consequently suggested to cover that procedure.

16. When the new working methods had been introduced, the Executive Committee had decided not to consider the question of increased participation by non-governmental organizations in the plenary and the Standing Committee until the working methods had been implemented and their full implications assessed. It might therefore establish a process of consultations on that question for discussion in the Standing Committee in 1997.

17. Mr. NORBERG (Sweden) said that, after one year of experience with the Executive Committee's revised working methods, Sweden essentially shared the positive assessments set out in document A/AC.96/868. The intersessional Standing Committee meetings had been an increasingly useful forum for consultation on issues of key importance to effective implementation of the UNHCR mandate in a dramatically changing political environment. Before the reform of the Executive Committee's working methods could be completely assessed, however, it was necessary to analyse the outcome of the 1996 session and the process leading to the conclusions it would adopt. The selection of a theme for discussion was a positive step, but a weakness remained at the level of interchange of views and fruitful debate.

18. The success of the new working methods and Project Delphi, which were linked, could only be measured against a demonstrated improvement in operational quality, cost-effectiveness and impact on UNHCR's activities. In that respect, more analytical reporting would lead to greater transparency and make accountability a clearer concept.

19. As to the participation of NGO Observers in the work of the plenary and the Standing Committee, his delegation agreed with the decision to initiate consultations, bearing in mind revised arrangements for NGO consultations with the Economic and Social Council and the discussions to take place at the fifty-first session of the General Assembly.

20. The CHAIRMAN said that a revised version of the draft decision on Executive Committee working methods was being distributed. To give members time to study it, he suggested that it should be considered when the Committee came to adopt the draft report.

21. It was so decided.

The meeting rose at 4 p.m.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.96/SR.515
19 December 1996

ENGLISH
Original: FRENCH

EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-seventh session

SUMMARY RECORD OF THE 515th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 11 October 1996, at 10 a.m.

Chairman: Mr. MCHUMO (United Republic of Tanzania)

CONTENTS

INTER-SESSIONAL MEETINGS OF THE STANDING COMMITTEE IN 1997

CONSIDERATION OF APPLICATIONS BY GOVERNMENT OBSERVER DELEGATIONS TO PARTICIPATE IN THE INTER-SESSIONAL MEETINGS OF THE STANDING COMMITTEE IN 1997

CONSIDERATION OF THE PROVISIONAL AGENDA OF THE FORTY-EIGHTH SESSION OF THE EXECUTIVE COMMITTEE

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Executive Committee will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.96-03031 (E)

CONTENTS (continued)

ANY OTHER BUSINESS

ADOPTION OF THE DRAFT REPORT OF THE FORTY-SEVENTH SESSION OF THE EXECUTIVE COMMITTEE

CLOSING STATEMENT BY THE HIGH COMMISSIONER

CLOSURE OF THE SESSION

The meeting was called to order at 10.30 a.m.

INTER-SESSIONAL MEETINGS OF THE STANDING COMMITTEE IN 1997

CONSIDERATION OF APPLICATIONS BY GOVERNMENT OBSERVER DELEGATIONS TO PARTICIPATE IN THE INTER-SESSIONAL MEETINGS OF THE STANDING COMMITTEE IN 1997 (agenda item 9)

1. The CHAIRMAN drew attention to the draft programme of work for the Standing Committee in 1997, which had been distributed in the form of draft decision DC/CN.7. The identical text was found in paragraph 27 of the draft report of the forty-seventh session.

2. The draft programme of work included recurrent issues, issues pending from former Executive Committee decisions and new issues emerging from the deliberations of the Standing Committee and the current plenary session.

3. Also under agenda item 9, the Executive Committee was called on to consider applications by Government observer delegations to participate in the inter-sessional meetings of the Standing Committee in 1997. In accordance with a decision of the Executive Committee in 1988, meetings of subsidiary organs were open to participation by Government observer delegations which made formal applications for approval by the plenary. On the basis of applications received, the Secretariat had published a list for consideration in draft decision DC/CN.8.

Draft decision on the programme of work of the Standing Committee in 1997 (DC/CN.7)

4. Mr. DENHAM (Ireland) said that the body of the draft should contain a reference to the valuable discussions that had been held on the annual theme.

5. Mr. HALL (Secretary of the Executive Committee) suggested, in order to take that suggestion into account, that the phrase "discussions on the annual theme, and" should be added after the word "including", in the preambular paragraph.

6. The CHAIRMAN said that, if he heard no objection, he would take it that the Executive Committee adopted the inter-sessional programme of work as amended.

7. It was so decided.

Applications by Government observers for participation in the inter-sessional meetings of the Standing Committee in 1997 (DC/CN.8)

8. Mr. HALL (Secretary of the Executive Committee) said that additional applications had been received from the following countries: Iraq, Lao People's Democratic Republic, Luxembourg, Poland, Syrian Arab Republic and Yemen. Those countries should be added to the list contained in document DC/CN.8.

9. Mrs. JANJUA (Pakistan) asked whether countries that had not yet applied to participate could do so later on.

10. Mr. HALL (Secretary of the Executive Committee) said that, in accordance with the decision taken in 1988, applications for participation had to be approved by the Executive Committee.

11. The CHAIRMAN said that, if he heard no objection, he would take it that the Executive Committee approved the list of observer Governments as amended.

12. It was so decided.

CONSIDERATION OF THE PROVISIONAL AGENDA OF THE FORTY-EIGHTH SESSION OF THE EXECUTIVE COMMITTEE (agenda item 10)

Draft decision on the provisional agenda of the forty-eighth session (DC/CN.9)

13. The CHAIRMAN drew delegations' attention to the draft provisional agenda of the forty-eighth session, which reflected the new format of the Executive Committee's agenda, introduced in the 1995 decision on Executive Committee working methods, and discussions among Executive Committee member delegations in their consultations with the Rapporteur.

14. If he heard no objection, he would take it that the Executive Committee agreed to adopt the proposal contained in document DC/CN.9 as the provisional agenda of its forty-eighth session.

15. It was do decided.

ANY OTHER BUSINESS (agenda item 11)

16. No delegation having requested the floor under agenda item 11, the CHAIRMAN declared the item closed.

ADOPTION OF THE DRAFT REPORT OF THE FORTY-SEVENTH SESSION OF THE EXECUTIVE COMMITTEE (agenda item 12)

17. The CHAIRMAN said that, in accordance with established practice, the draft report consisted in large part of the conclusions and decisions of the Executive Committee. Some had been adopted at the end of debate under different agenda items. Others had been introduced in plenary following an intensive process of consultation involving all Executive Committee members under the chairmanship of the Rapporteur, whom he called on to introduce the draft report.

18. Mr. SCHOOF (Rapporteur) read out the list of decisions and conclusions contained in the draft report. They had been the subject of an intensive process of consultation involving all Executive Committee members. The conclusion on the CIS Conference had been formally adopted in plenary, as had three other draft decisions submitted to the current meeting. The other decisions and conclusions had all been carefully reviewed and revised according to changes suggested by delegations, and all had ultimately achieved consensus in the informal consultations. The texts had been introduced in

plenary under the appropriate agenda items and were now forwarded for final adoption in the framework of the draft report before the Executive Committee.

19. Mr. SIDDIQUI (Pakistan) said that he would like the record to reflect his delegation's position on international protection of refugees. Although Pakistan agreed that some refugee-producing situations, such as that of the Afghan refugees, could develop into long-term situations, it was convinced that they could only be resolved through voluntary repatriation. He hoped that the re-establishment of peace in Afghanistan would enable the Afghan refugees to be repatriated with dignity and honour. In most cases, and certainly when large numbers of refugees were concerned, local integration was not a solution. It was in any case neither possible nor acceptable for Pakistan with respect to the Afghan refugees. A perfect illustration was the long-standing tension between the local population and the refugees in the regions in Pakistan where the latter had settled. Resettlement in a third country could only be considered as a last resort. It was part of durable solutions. It was essential for the international community to share responsibility for supporting the refugees with the countries of first asylum.

20. Pakistan understood the concerns of some countries which were having to deal with the problem of asylum seekers. The right to seek asylum, however, was recognized by the International Bill of Human Rights. The criteria for granting asylum were becoming more and more restrictive and harsh. Yet arbitrarily rejecting or refusing to consider applications for asylum meant going against the rules of international protection, and represented a diminution of the right to seek asylum. It might be wondered whether the criteria had been changed because asylum-seekers' countries of origin were not the same as in the past. Pakistan agreed that it was sometimes difficult to distinguish between refugees and asylum seekers, hence to define precisely UNHCR's role in such cases. It did believe, however, that UNHCR should focus its work primarily on refugees.

21. The CHAIRMAN said that, if he heard no objection, he would take it that the Executive Committee adopted the draft report, it being understood that the amendment to draft decision DC/CN.7 would also be added to the introductory sentence in paragraph 27 of the draft report.

22. It was so decided.

CLOSING STATEMENT BY THE HIGH COMMISSIONER

23. Mrs. OGATA (High Commissioner for Refugees) noted with satisfaction that all delegations had recognized the need to address forced displacement in a comprehensive manner, above all by attacking the political as well as economic root causes of the problem, including poverty. A comprehensive approach also meant engaging the responsibility of everyone, the countries concerned as well as the international community. Often, more attention was paid to the onerous responsibilities of asylum States than to those of refugee-producing States to re-admit their citizens and create the conditions for the refugees to return in peace and with full respect for their human rights. The growing number of situations in which refugees fell victim to disputes over their nationality and became de facto stateless persons was a matter of concern.

24. Although voluntary repatriation undoubtedly remained the preferred solution, combining it with local integration and resettlement would lead to faster progress. It was encouraging to note that delegations had acknowledged the link between rehabilitation and repatriation on the one hand, and consolidating peace and resuming development on the other.

25. UNHCR remained committed to effective coordination, in the context of large-scale reintegration programmes as much as in emergency response. It agreed with the importance of the IASC consultative process, but inter-agency coordination on the ground was the real test.

26. As part of the search for durable solutions, international burden-sharing remained essential to help reduce the negative economic and ecological impact of refugee influxes in the developing world, and increasingly to sustain protection. In that connection, she was grateful for the clear reaffirmation of the principle of non-refoulement and the emphasis on the plight of uprooted women and children.

27. She appreciated the strong support for UNHCR's change process and was aware that close management-staff consultations would be especially important in the coming period. She assured the members that their advice and observations would be taken into account. UNHCR officials and staff would do their utmost to balance delegation and decentralization, on the one hand, with strengthened oversight and a streamlined yet more effective headquarters, on the other.

28. UNHCR could and must encourage dialogue which concentrated on the human dimension of refugee problems. Too often, solutions remained blocked because that type of dialogue was absent. At the same time, however, all should be conscious of the limits of humanitarian action, which should not become further politicitized. Problems which were essentially political could not be prevented or resolved by humanitarian means.

29. She thanked the delegations for their support and reaffirmed UNHCR's determination to continue its partnership with other United Nations bodies and the NGO community to solve the problems of the millions of uprooted women, men and children.

CLOSURE OF THE SESSION (agenda item 13)

30. After an exchange of courtesies, the CHAIRMAN declared the forty-seventh session of the Executive Committee closed.

The meeting rose at 11.25 a.m.